

to Eshwant Rao in order to get a present on the occasion of the marriage. I knew Eshwant Rao because he came every fourth day to the Residency with fruit for the Resident from the Maharaja. I went the next day to Eshwant Rao. Salam and Eshwant Rao were there and no other person. Salam gave me two hundred rupees, and told me to keep one hundred myself and give the other hundred to the ayah as a present on account of the Nowsari wedding. I kept the hundred rupees for that night, and at six o'clock next morning I took them with me and gave them to the ayah.

CROSS-EXAMINATION BY SERJEANT BALLANTINE:—I gave them to her in her husband's presence. After the attempt at poisoning Colonel Phayre questioned me.

IT IS AGREED THAT THIS WAS THE 13TH NOVEMBER 1874.

It was not Colonel Phayre but Mr. Boevey; Colonel Phayre was not then present but in his office. Colonel Phayre did not read over my statement to me. I did not tell Mr. Boevey about my visit to the Maharaj. I was questioned about Salam but not about the Maharaj. I told him that I had a quarrel with the Arab Sowar Salam. I did tell Mr. Boevey that Salam told me that I should relate what passed in Bhau Poonekar's matter and be rewarded for it. I told him of Salam's enmity causing him to refuse my going in a servants' cart on the way to Makinpur. I said that I had a quarrel with Salam at Makinpur on account of my not furnishing information desired by him. I was afraid of being accused in the poisoning matter; therefore I did not tell Mr. Boevey of my visit to the Maharaj. I am now in confinement. I was put in confinement about a fortnight after my statement to Mr. Boevey.

Counsel reads from statement, and witness replies.

I afterwards made a statement to Mr. Souter. I told Mr. Souter all I knew. I told him—"Last hot weather I went with the Assistant Resident to Nowsari and on return went with an ayah to the Maharaj. We went in a cart to the house of Salam Sowar and then with him to the Haveli, and then all three through a private entrance upstairs. The Maharaj, Salam, and the ayah had a private talk for about an hour. We returned to the Residency about eleven o'clock." I did tell Mr. Souter about the conversation. I told Mr. Souter the talk between the ayah and the Maharaj. I was examined by Mr. Souter only once. What I said was written down and read over to me. Mr. Souter asked me if it was correct, and I said it was. I did mention the conversation between the ayah and the Maharaja. Mr. Souter did not read that part of my statement out to me. I did not hear him read out that part. I have not seen Akbar Ali to speak to since yesterday, because policemen are there. I went to the Maharaja's Palace because the ayah took me there in order to get a present on account of the Nowsari wedding. I am Karim Naik. It is not true that the ayah went because I and Salam asked her to go.

RE-EXAMINATION BY MR. SCOBLE:—The ayah has said nothing to me since yesterday. I have heard nothing about the evidence she gave yesterday.

BARODA,
24th February 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

NO. V.—SANDAL STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

BY MR. INVERARITY:—My name is Sandal Bakhtyar Khan. I am a servant, a gariwala, in employment of Mahomed Bakar. I know Mrs. Boevey's ayah; I don't know her name. She is a woman. I know Mr. Boevey's peon Karim. I identify the woman called into Court as Mrs. Boevey's ayah. She

The witness No. 1, Amina, called into Court.

and Karim have been driven by me in my cart towards the city from the plain called Pirpathar. It is near the boundary pillars between the Gaekwar's limits and the Cantonment. It is near the School. We drove to the house of Salam. Having got there, Karim Baksh told me to go to Salam's house and call him out. Salam is the Maharaj's Sowar. I know him because he is in the habit of coming to the Residency. I called Salam. Karim took hold of the reins of the gari while I went and called Salam. Then Karim, the ayah, and Salam went in the gari. Salam came when I called him, and got into the gari and sat with the ayah and Karim. Then we drove to the Sirkar Haveli, that is, the Haveli close to the clock tower. I drove the gari by a way between the two Havelies and stopped the gari near the staircase at the back, near the Nazerbagh. The ayah, Karim, and Salam alighted and went upstairs. The gari remained standing. I got out of the gari and went to sleep on a step of the staircase. Salam, Karim, and the ayah all three returned. When they returned the sentry awoke me. It was near twelve or one o'clock at night that I awoke. I took the gari there at half-past nine, and they got into the gari about ten o'clock. I drove the ayah and Karim back to the Pirpathar maidan. I don't remember what time of the year this was, nor whether it was the monsoon or before or after, but it rained at the time I went. I don't exactly recollect, but it must have been eight or ten months ago—eight or nine months I think. Karim Baksh paid me for the gari. He paid me at six o'clock next evening. I

A man called into Court.

identify the man called into Court as Karim Baksh.

CROSS-EXAMINATION BY SERJEANT BALLANTINE:—I was going from the railway train to the city. The Bombay Police came here and made inquiries, and could get no information. I first made this statement to Mr. Souter. It was when the Bombay Police came and made inquiries. Being ignorant, I cannot say when this was. It was not last night. It was the day the Bombay Police arrived. It was two or three months ago. I told Mr. Souter, but I requested he would not publish it in an assembly or council, I being a (*pardeshi*) foreigner. Mr. Souter did not write down my statement. I was not put in confinement, nor have I been, nor am I now, in confinement. Since then I have told nobody.

Witness points out Mr. Cleveland, Solicitor.

A Saheb sent for me last night and took down what I had to say. I point him out. Except him nobody else was there. It was last night. I don't speak English. There was a Havildar or some one who explained to the Saheb. I don't know Abdul Ali. Why should I not remember the hour of twelve or one as I was paid for my gari? I had no watch. I can't specify whether it was twelve or one o'clock. It was a dark night. That man put ques-

Abdul Ali is pointed out.

tions to me and the Saheb took down what I said. I don't know the man's name to be Abdul Ali. I thought him a Havildar. He caused the Saheb to take down what I said. Abdul Ali said to me, "The Saheb wants to know who hired your gari." He did not say when, but it was eight or nine months ago. I asked him "When?" The answer he gave was, "At the time Karim Baksh and the ayah went in your gari." I said "It was either eight or nine months ago that he went." Before that I did not know the ayah, but I did know Karim, who used to go about the bazaar. I never drove him before. I have seen him since, not last night nor this morning. Abdul Ali did not tell me what Karim said yesterday. Last night I slept at my house. I was never in confinement at any time. One day, that on which my statement was taken, I was kept in confinement. I had not mentioned about Karim Baksh. I was kept in confinement, but after mentioning about Karim Baksh I was liberated. I and all came from the Residency. Abdul Ali was present. I mentioned Karim Baksh's name after I was told that my statement should not be taken. I was afraid—[Witness draws his hand across his throat]. I made my statement two, or two and a half or three months ago to Mr. Souter. Nobody else was present. I first made an arrangement with Mr. Souter in order to save my life. I got him to agree that he would not publish what I said. I mentioned the ayah on that occasion and not Karim's name. I merely said, "The ayah went to the city." I know her now. I knew her at the time I made a statement to Mr. Souter. I knew at that time that

she was Mrs. Boevey's ayah, because she lived at Mr. Boevey's. Before then I had seen her at Mr. Boevey's. Mr. Souter did not ask me if Karim had gone with her. I made a bargain with Mr. Souter through fear of my life from the side of the Gaekwar, I being of another country. I was not confined that night—not at all, not at any time. I was taken to Mr. Boevey's bungalow. I was not kept in confinement until I mentioned Karim's name. After making arrangement about my life I told the whole story. When the Bombay Police came inquiries were made regarding this case. I went to Mr. Souter. Syed (*untwala*) camelman took me to Mr. Souter. Syed had a camel formerly, but not now. I don't know that Syed made a charge against the Gaekwar. Syed's other name is Sadak Ali.

RE-EXAMINATION BY MR. SCOBLE:—When first I went to Mr. Souter it was with Syed, the camelman. I was asked what I had to state. I made a statement. I said "Karim came to me at six o'clock to hire my gari; Karim Baksh having come to my house to hire the gari, it was taken to the Pirpathar maidan at half-past nine. The ayah and Karim came and got into the gari, and the gari was driven to the city. They went in the gari to Salam's house in the city. When we arrived close to Salam's house Karim Baksh desired me to go and call Salam. I gave the reins of the gari into Karim Baksh's hands and went to call Salam. Salam came from his house. Salam, Karim, and the ayah got into the gari, and we went thence to the Sirkar's Palace. We went to the old Haveli, close to the Nazerbagh, and the gari stopped at a staircase in rear of the Haveli. Karim, the ayah, and Salam alighted and went upstairs. After they had left I went asleep." I made all the above statement to Mr. Souter about two or two and a half months ago when the Bombay Police arrived. I made the arrangement with Mr. Souter after I made my statement—at the same time. I made the arrangement from fear of my life. I was not in confinement on that day. I was not in confinement. I was brought from the Residency to Mr. Boevey's bungalow to point out the ayah and Karim Baksh. I was brought there after I made my statement to Mr. Souter. I pointed out the ayah and Karim Baksh to Mr. Souter, Mr. Boevey, and Khan Saheb. After pointing them out I was allowed to go away. Since then until now I have not been in confinement.

BY SERJEANT BALLANTINE:—The man I called Syed is Sadak Ali. I don't know his father's name. I don't know if he comes from Ahmedabad. He was sitting in his house, and there was some talk of the Bombay Police having arrived. He came to me because I said I would point out to Mr. Souter such-and-such persons as had gone to the Sirkar's Palace. I said I would prove that the ayah and Karim had gone.

Q.—Why did you tell Sadak this if afraid of your life? A.—It was stated that no clue to this case would be got. Sadak said so. I have seen Sadak lately. He lives in the camp. I saw him in the camp fifteen or sixteen days ago. I did not see him about the present case. I don't know if he is assisting in getting up the case. I told Sadak, and Sadak told Mr. Souter.

BY RAJA SIR DINKAR RAO:—I was afraid of my life, being resident of a foreign country. I heard that Bhanu Sindia had been strangled to death by an elephant—that is all. I have been servant here for three years. If so great a man as the person named was put to death, I thought I might be rammed into a hole.

BARODA,
24th February 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. VI.—CHOTU STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. SCOBLE :—My name is Chotu. I am in service of Amina, Mrs. Boevey's ayah. It is four months since I was in her service. I went to the city with her on one occasion; I think two or three months ago. I cannot specify the month or day. It was in the month of Ramzan. It was in the night time, about nine o'clock, in a gari. It was a Mahomedan gariwala's gari. The gariwala's name is Daud. I got into it near a burr tree on the maidan or plain. There were the ayah, myself (no one else), and the gari-driver. The ayah's husband brought the gari and was there when it came. I and the ayah got into the gari. We went to the Arabkhana in the gari. It is a short distance from the *mandavi* and the Haveli in the city. Salam was there. Salam is a Sowar. I did not know him before. I know him now because while I served the ayah he was in the habit of coming with the Sirkar's escort to the Residency: he used to come to drink water to the ayah's room. We went to the Haveli, in front of the Haveli. I don't know what became of the ayah; she left the gari. Salam took the ayah with him. I know not where they went. A short while after they left I fell asleep together with the gariwala. I was afterwards awakened by the ayah and Salam. I went back with them in the gari, and so got home. It is four months since I entered the ayah's service.

Amina, witness No. I, is called and identified by witness.

CROSS-EXAMINATION BY SERJEANT BALLANTINE :—I am not, and have not been, in confinement. A sepoy follows me. I don't know his name. I sleep at the Khan Saheb's. I have not been followed like this before. Since all those persons were brought to the tent they are followed by sepoys. I identify the Khan Saheb. All the witnesses are in the tent. Since the day before yesterday they are apart. We were then separated because we were examined. I know Raoji, who lives at our place. He is separated from the witnesses. He is with the Khan Saheb here. He is always with him ever since they have been taken up. I gave evidence when taken up about two months since. It has never been read over, even until to-day, to me.

RE-EXAMINATION BY MR. SCOBLE :—In the tent with me are the gariwala and we. By we I mean myself. There are three gariwalas. I know the name of the driver of the gari in which I went, not of the other two. Since the day before yesterday the witnesses were kept apart—the ayah and others. I mean those who have given evidence are kept apart from those witnesses who have not given evidence.

BARODA, }
25th February 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. VII.—SHEIK DAUD STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. INVERARITY :—My name is Sheik Daud, and father's name Sheik Rahim. I am shigram-driver. I don't know Mr. Boevey's ayah, but when I went to the Residency I saw her outside. I know her by sight. I know the boy Chotu. I know the ayah's husband sufficiently to salaam to him. I did drive the ayah and the boy in my shigram. I did not think I would be asked the date. It was before the last Divali—two or four days before the Divali.

I drove the ayah and Chotu from a place twenty paces from Dadabhai's shop—yonder. I stopped the gari near the banian tree. I don't know how far the shop is from here. I drove them to the city, to the Arabkhana, where the Sirkar's guard is stationed. Then the ayah said to me, "Go and call Salam." I then brought Salam, who was close to the Arabkhana. Salam and the ayah then got down and went to the Haveli—the old Haveli on the right-hand side. The Arabkhana and the Haveli are contiguous. I stopped near the Arabkhana and the well near the Durgah. I took the cushion from the gari and resting on it slept. Salim awakened me. The ayah was with him. I got up, put the bullocks in, got the gari ready, turned it towards the camp, and drove it back with the ayah and Chotu. A butler came to me who lived in the Resident's bungalow that night to tell me to take the gari. I know not his name; he was a Mussalman. I recognize him as the man now called.

A man calling himself Sheik Abdulla is identified.

CROSS-EXAMINATION BY SERJEANT BALLANTINE:—I have not a sepoy with me. I live in the camp with my parents. Since this matter began I have never been in confinement. I did not give information. I mentioned it in presence of a man named Sandal. I identify the man called in. I mentioned it to Sandal as he sat with his master, a baker. I do not know Sadak Ali. I met Sandal one day on the road, and he asked me, "Who did you take that night?" I said "The ayah and a boy." I did not notice what night he meant. He meant the night I took the ayah. He knew about it because he took the bullocks from the gari and gave water to the bullocks at a cistern. I told him about my taking the ayah: thus he knew. He met me on the road,—I mean at the time I took the ayah. He must have seen, otherwise he would not have asked me. I had only two or four talks with Sandal about my taking the ayah. What object have I in finding who took the ayah? I myself took her. Sandal did on one occasion mention Karim's name, saying that he had driven him.

RE-EXAMINATION BY MR. SCOBLE:—The first talk I had with Sandal was one day about eight o'clock two months or two and a quarter months ago. I knew him before because my master and Sandal's master are brothers. My master's name is Sheik Chotu, and Sandal's master is Sheik Shah Ahmed. Both of them let out garies on hire. Their garies are kept at different places—one lives near a butcher's shop, the other near a liquor place; both live in the camp. When I took the ayah to the city I met Sandal, who was watering the baker's bullocks which he usually drives. The cistern is on the Baroda road—on the other side of a bridge called Banda Bridge. He spoke to me: as I went to the city, he called out "Daud, where are you going?" I said "To the city." Five or seven days after he mentioned the matter to me, I said "Truth will be out." One day as we were sitting together, about 8 A.M., he mentioned, and I did also. This was the occasion he asked me who I took that night. It was the occasion I said "Truth will be out." He asked me who did I take. I don't remember when the Bombay Police came to Baroda. I did not see them.

BARODA,
25th February 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. VIII.—SANDAL RECALLED:

By MR. SCOBLE:—I know the witness Sheik Daud. We serve masters who are brothers. I had a talk with Sheik Daud once as I was going from the station to the city and unyoked my bullocks to water them, and Daud was going with his bullocks to the city. He went on, and after giving water to my bullocks I went after him. I saw his gari near the Sirkar's Haveli. Then I returned home leaving my passenger. Next morning I asked him, "Whom did you take last night?" He said "I took Chotu and the ayah." That is all.

CROSS-EXAMINATION BY SERJEANT BALLANTINE:—I mentioned Karim to Sheik Daud. I told all this to Mr. Souter.

RE-EXAMINATION BY MR. SCOBLE:—As to Daud, he took them in the Ramzan. He heard about Karim when I told Council, that is when I told Mr. Boevey. I did not tell Sheik Daud about Karim. When I said I did mention Karim to Sheik Daud I did not understand the question. I am a poor labourer; why should I mention Karim's name to Sheik Daud?

BY THE PRESIDENT:—On the occasion when Sheik Daud asked me whom I had taken to the city I did not mention Karim.

BY MR. SCOBLE:—I don't remember that I afterwards mentioned Karim. I don't know if I mean Mr. Boevey or Mr. Souter. I point out the man I mean.

Witness points out Mr. Souter. I knew him by the name of Boevey. Daud was present on the day I made a statement to Mr. Souter. Daud had been taken up and was present there.

BY SERJEANT BALLANTINE:—Q.—Why did you not mention Karim when you mentioned the ayah and Chotu? A.—Lest I might be driven away—even now I am afraid of my life.

BARODA, }
25th February 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. IX.—SHEIK ABDULLA STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

BY MR. SCOBLE:—My name is Sheik Abdulla. I am the husband of Amina. Last year I served Major Blakeney. I served him seven months, two months whereof I was at Mahableshtar and the rest at Baroda. I went to Mahableshtar in March—about the 28th or 29th March. I came back with Major Blakeney to Baroda and stayed with him that month, and got leave in the next month. After that I lived at the Residency with my wife, and have lived at Baroda ever since then. I first served Major Blakeney in January of last year, and before that January I was at Bombay. My wife Amina went to Bombay with her Madam Saheb in March last year. She remained there rather more than a month. When I was in Mahableshtar and she in Bombay I received two letters from Amina. One of the documents shown me is one so received (*this is marked A*). The other I did not receive (*marked with initials*). The letter now shown me was sent by me from Poona (marked B). The next letter shown me was signed by me and sent from Baroda by the post (marked C). I was present when these letters were found in a box in the room where we live at Mr. Boevey's bungalow. The letter which I have said I did not receive was found in the same place in the same box as the other three.

THE LETTER MARKED A IS ADMITTED AS EVIDENCE, AND RECORDED AS EXHIBIT A.

I knew Eshwantrao and Salam. I have had conversation with them. Salam was in the habit of coming with the Maharaja's escorts to the Residency. Salam was in the habit of coming to Faizu's room to drink water. It is near my wife's room. My wife told me that she went to the city to Salam. She told me this the morning after my arrival from Bombay in January. She said "Faizu and I were sent for by the Maharaj through Salam. I went in company with Faizu." She said "The Maharaj made some inquiries of me." She said the Maharaj enquired if she knew anything about the Committee, and that she answered that she knew nothing about the Commission. She also told me that the Maharaj said to her that she should talk over in his favour the Madam Saheb, and that she replied that she was not in the habit of going

to the Saheb's room, and that the Madam will not listen to anything she would say. She did not at that time tell me aught else. I came to know, on the day following a visit, of other visits. I was then in Major Blakeney's service at Baroda. I believe it was in June she went on the second visit after my return from Mahabaleshwar. She told me that she went to the Maharaja as desired by him. She told me the circumstances. She said she went along with Karim Baksh. She told me the conversation between her and the Maharaja. The Maharaja, she said, enquired if any allusion had been made to his marriage. She answered that none had been made, that she heard none. The Maharaj asked her to talk over the Madam Saheb. She replied that she was unable to talk over the Madam Saheb. My wife got Rupees 100 after the second visit. I know this because she told me. She said that Salam had asked her to send Karim Baksh the following day, and that Karim Baksh went the following day and received Rupees 200, of which he kept 100 and paid her the other 100. I know my wife did get the Rupees 100. Soon after my wife went to Poona. I believe it was in July. She remained a month or more,—about a month and a half. It was when she was in Poona that I addressed to my wife these two letters. When my wife was at Poona, Eshwant Rao had gone to Bombay.

Letters B and C are put into witness' hands.

THE LETTER C. IS NOW ADMITTED IN EVIDENCE OF THE INTEREST SHEWN BY WITNESS AND AMINA IN BARODA POLITICAL AFFAIRS AND IS RECORDED AS EXHIBIT C. MR. SERJEANT BALLANTINE WITHDRAWING HIS OBJECTION.

The word "bungalow" in this letter means the Residency. The Eshwunt Rao therein mentioned is a *jasus* of the Maharaja.

THE LETTER B IS ADMITTED IN EVIDENCE AND IS RECORDED AS EXHIBIT B.

The Esra Naik alluded to herein (*i. e.*, in the letter B) is Eshwant Rao, the *jasus*. My wife came back from Poona in August; I don't remember what day. After that return she paid another visit to the Maharaja in the month of Ramzan, about the 15th or 18th of that month. On that occasion I went to fetch the gari for her. A boy named Chotu went with her. My wife told me what passed on the following morning. The Maharaja said, "Was any reference made to the son that was born?" She said that she knew nothing about it. She said that she was asked to talk over the Madam Saheb in favour of the Maharaja. She also said that the Maharaja enquired if anything could be given to these people to bring about a union between the hearts of the Maharaja and the Saheb. She replied "that nothing should be given to the Saheb to eat, and if you do anything of the kind, it will be bad for you." She said that she told the Maharaja to do nothing of the kind. My wife got Rupees 50 after this third visit. She said that Salam brought it. She also told me that I also should be employed. She did not tell me who would employ me, or what employment it would be. Nobody but my wife spoke to me of this employment.

BARODA,
25th February 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

CROSS-EXAMINED BY SERGEANT BALLANTINE :—I have been married to my present wife ten or eleven years. We have been in the habit of writing letters to each other. We did so if we had any news regarding our house, and also on other matters of interest. My wife wrote, if necessary, on matters of importance. Besides the one letter from my wife shown, perhaps there may be others from here among the papers. In June and July of 1873 I and my wife lived together. In November and December we were not together. I was at Bombay; she was at Baroda. In June of 1874 I went to Mahabaleshwar for a few days. When I went, she was in Bombay. My wife was about six or seven months in Colonel Playre's service as ayah. People mentioned the fact of poison

being put into Colonel Phayre's glass at the time it took place. I knew nothing about it. I do not know whose duty it was to give sherbet to Colonel Phayre. I remember being examined by Mr. Boevey.

IT IS AGREED THAT THE 13TH NOVEMBER WAS THE DATE OF MR. BOEVEY EXAMINING THIS WITNESS.

I did not mention to Mr. Boevey anything that my wife told me. When Mr. Souter sent for me and examined me, I did so. I had not told Mr. Boevey because I was afraid. I don't know who did it. How could I mention it? I did not mention what my wife told me about something to turn Colonel Phayre's heart because I was afraid. It was because the Saheb's orders were not to go to the Maharaja. I don't mean orders to me, not being in his service. My wife told me she had such orders about not going to the Maharaja. She told me so often. I don't remember when Mr. Souter sent for me when I was at Mr. Boevey's. That lad who is in my service said a gari had been hired and they had gone. When I was taken to the Saheb, the boy came there. The boy was at Mr. Souter's. The boy and the gariwala were there, and the Khan Saheb, Akbar Ali and Abdul Ali. I did not see them there when I arrived at Mr. Souter's. Khan Saheb was there then. Both Akbar Ali and Abdul Ali were there when I went, also Rao Saheb and nobody else. I was first asked, "Did I know about this, or what?" I was first asked if I knew anything in regard to the affairs in that quarter. At that time I said, "I knew nothing." The Saheb said, "Tell the truth." The cartman and Chotu were not there at that time; Mr. Souter was there then,—four persons. There were three persons, Rao Saheb, Khan Saheb, and the younger Khan Saheb, and also Mr. Souter. When I was first questioned, Mr. Souter was there. The Saheb said, "Tell the truth; don't tell a lie." In the meantime the boy and the gari-driver were brought there. The Havildar brought them, I did order the gari.

Q.—Did Mr. Souter say the cartman and boy had said that you ordered the cart? A.—Mr. Souter did not say that, but the boy and the cartman did say that. When I was examined first I was kept under guard for three or four days and was afterwards released, and since then I have lived with my wife. I was present the day my wife was examined and was not with her that night and next day. Since she was examined, we have been kept apart. Nobody told me what she said.

Q.—In one of your letters you say Eshwant Rao has gone and Shabudin will go to Bombay? A.—Shabudin lives in the city. He has some employment under the Gaekwar. He was Sir Subha. He is a native of my own country. I am not aware that he holds the same place under Sir Lewis Pelly.

RE-EXAMINED BY MR. SCOBLE.—I made my statement to Mr. Souter at the Residency in a room on the west side on the ground-floor. My wife was at that time unwell at Mr. Boevey's house. She was not then under a guard. She had been taken to the hospital; she was at the house of Mr. Boevey the day I was taken and examined by Mr. Souter. On the first day I was questioned a little, and not on other days. I was not then put in Chowki when those questions were put; I was with the Khan Saheb. I did not have communication with my wife in those days. I did not go to her when she was in hospital. I went to her when I was released. She was in hospital when I was released, and I visited her there. She had been then in the hospital for about five days. When I first went there to see her, I saw her and talked to her.

IT IS AGREED THAT THE AYAH'S FIRST STATEMENT IS DATED THE 19TH DECEMBER 1874.

BARODA,
February 26th, 1875. }

(Sd.) JOHN JARDINE,
Secretary.

**No. X.—SYED ABDUL RAHMON STATES ON SOLEMN
AFFIRMATION :**

EXAMINATION-IN-CHIEF.

BY MR. INVERARITY :—Syed Abdul Rahmon is my name. I am also called Rahim Sahab. I know the ayah Amina for a short time. I am a first class peon in the Bombay Post Office. I live in Bombay, and carry on my calling there. The ayah is not of my country : her husband is a neighbour of mine. I first knew her six years ago. Last year I saw her in Bombay. The woman in Court is the ayah in question. She said she came to Bombay to see her Madam Sahab off to England. The ayah, I think, asked me to write a letter,—more than one I believe, though not certain. I wrote this letter by the ayah's directions.*

Amina witness No. 1 called and identified.

* Letter marked A. is shown to witness.

† Another letter shown and tendered in evidence. It is marked D. Its date is 29th March 1874.

The second letter† shewn me I wrote by the ayah's directions.

Besides these letters which I did not remember, I wrote another letter for the ayah which I do remember. It was addressed to Sheikh Abdula, butler. It was written under the ayah's directions. I don't remember the details, but I do remember the fact of writing it. In the third letter there was a note written in the Maharaja's name. I think it was Mulhar Rao Gaekwar. I mean it was addressed to him.

CROSS-EXAMINED BY MR. BRANSON :—I understand a little English. I can understand it, but cannot speak well. I live in Bombay in Khetwadi. I lived in my last house there for three or four years. The ayah lived in the same house in a room adjoining mine. I know Akbar Ali and his son Abdul Ali. They belong to the Bombay Police. Before coming here I did not see them, being busy. They first sent for me in this case. They came to the Kalkadevi Post Office to see me first. I first came here on the 6th January last, and on the 7th Mr. Souter examined me. Akbar Ali and Abdul Ali came to see me in Bombay, but I did not see them. I saw a Police Subhedar named Ahmed Ali. I don't know if he is a relation of Akbar Ali. Ahmed Ali did not tell me I was said to have written a letter to the Maharaja. Because in all my life I only wrote one letter to the Maharaja. First of all these persons enquired about me. I mean the detectives. I was at office, not at home. Mr. Edginton wrote a letter to the Post Office. Ahmed Ali took me to the Police. He said nothing to me but Khan Bahadur enquired of me; but I was not found. Khan Bahadur asked me questions at Bombay. He and I were present; nobody else. When I went to the Khan Bahadur's house there were one or two others. Khan Bahadur did not ask me if I wrote to the Gaekwar. He asked if I wrote any letter for the ayah Amina. He asked to whom I wrote. I said she caused the letter to be addressed to her husband, a butler. I don't remember if Khan Bahadur wrote down my statement. I don't remember the month in which I wrote a letter enclosing another. It was very likely last year. It was written before both the two letters I have identified. I don't know how long before, not quite a month before. I don't recollect if it was before the Holi. I know the Bakri Eed. I don't remember last year's Bakri Eed. Nor whether I wrote it before or after Bakri Eed. I cannot mention the season of the year. I know the Shab-i-barâr. I cannot say if I wrote it before or after the Shab-i-barâr. I cannot say that it was after the Shab-i-barâr. The ayah came to my house, to my room to cause the letter to be written. People who lived there used to come and go there. Mussalmans used to come there to smoke and drink water. Probably people were present at the time of writing. First the letter was caused to be written to the husband. When I was writing the letter to the Maharaja, people may have been present part of the time. There was no privacy in my

room. The ayah did not discuss state secrets, but dictated to this effect; "I will greatly oblige me if you will send money for my expenses. There was dinner at the Governor's, where I made some enquiries: be not apprehensive. There was nothing else in it."

RE-EXAMINED BY MR. SCOBLE:—This letter enclosing that to the Maharaja was written during the same visit of the ayah to Bombay in which the other two letters were written. I have served the Post Office for more than three years. My pay is rupees twenty-eight a month.

BARODA,
26th February 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioner.

No. XI.—AMINA RECALLED.

BY MR. SCOBLE:—I used to know the last witness Syed Abdul Rahim and lived in the same house with him in Bombay. I got him to write certain letters for me. Speaking from memory, I think he wrote three letters: of which two were addressed to Baroda. The third was addressed to Mahabaleshwar. The time was when I went to Bombay in company with Mrs. Phayre last year.

The witness Syed Abdul Rahmon reads the letter D., checked by interpreter.

The letter read to me (D.) was written by my directions. I sent salaams to Kazeer, Salam, and Eshwari Rao. The Kazeer Saheb used to visit a Reverend padre gentleman at the Residency, and come to my room to drink water. He comes from Chandor in the Deccan. Salam was a sowar who used to come with the Maharaja. I described him the other day as a jasus.

Eshwant Rao was a Maharaja's jasus or naik. The letter alluded to in this letter as sent with a ticket was written by Syed Abdula Rahim Saheb. The chitti enclosed in it was written to Salam to be delivered to the Maharaja. (Witness explains.) I wrote it because Salam told me to do so. It was intended for the Maharaja. The letter just read out to me (C) was written by my directions. The statement it about Salam meeting me in Bombay refers to the same Salam before described. He did not come to see me. I met him at Eshwant Rao's house. I do not know his house. As I was going to Bhau Daji's I met Eshwant Rao and went with him to eat pan-sopari. At Eshwant Rao's residence I met Salam. The Raj-durbari matter referred to in the letter is this: I asked Salam when you give me the reward? He said he had not got it. It, being a State affair, must be done leisurely. It is true that Eshwant Rao spoke to me in Bombay, as stated in the letter and quoted. It is true that I invited Salam and paid him attentions in Bombay, giving him tea and pan-sopari. As to the passage, I have sent a letter there, I will come on the 20th," I say that I referred to going to Nowsari; to Mr. Boevey's service. I remember receiving at Poona the letter (B) read over to me. At that time I was at Poona.

Syed Abdul Rahmon reads out letter A.

The Interpreter reads out letter B.

The letter marked C is now read out to witness.

I received this letter (C) from my husband when I was at Poona.

CROSS-EXAMINED BY MR. BRANSON:—Since my last examination I have been with Khan Bahadur, and have seen him and his son. I have not seen Rao Saheb Gajanand Vithal. I remember Mr. Inverarity examining me.

RE-EXAMINED BY MR. SCOBLE:—I have not conversed with them.

BARODA,
26th February 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioner.

No. XII.—SHEIKH ABDULLA RECALLED.

BY THE PRESIDENT:—I received a letter with a chitti enclosed in it for Maharaja. When I was about to go to Mahabaleshwar, I gave that note, ether with the other letters, to my wife. I had kept the enclosed note for, think, three or four days. When I received it, I was at Baroda in service of Major Blakeney. I mean that I gave it to my wife three or four days after I received it. It came from Bombay. When I gave it to my wife, I was at Bombay. I took it from Baroda to Bombay, and gave it to her at Bombay, when I was on my way to Mahabaleshwar. The reason was that I had no time here and did not meet that man. I mean Salam. I gave the enclosure to my wife.

BARODA, }
26th February 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XIII.—PEDRO DE SOUZA STATES ON OATH:

EXAMINATION-IN-CHIEF

BY MR. INVERARITY:—My name is Pedro de Souza. I was in the service of Colonel Phayre when he came as Resident to Baroda, and remained in his service till November last. Colonel Phayre came to Baroda as Resident about March 1873. Between then and last November I remained in Baroda, but went to Nowsari, and on one month's leave to Goa. I know the Gaekwar's name—Salam. He used to come twice a week to the Residency. He used to say to you come to the Maharaj, it will be well. A gari will be sent for you. I told him, "I won't come." I received money. I was about to go to Goa. I told Salam, "I am about to go to Goa." I asked him to give me some money for expenses of my journey, and he brought me a sum of money. I have told the particulars in my deposition. I said to him, "I am about to go to my country, ask the Maharaja to give me some money for journey expenses." He did so. Salam often sent for me and he told me money was got from there (thar-se). Salam brought me the money about 10 or 12 days after the asking. He brought me 60 Baroda Rupees, equal to 50 Bombay Rupees. He brought them to me to my room at the Residency. He said the Sirkar has given this money for expenses of the journey. The Sirkar was the Maharaja. I accepted 60 Rupees. I was a household servant, butler, head servant in the house. I used to wait at table; altogether I had been 26 years in Colonel Phayre's service, of which I had been 15 or 16 years butler.

CROSS-EXAMINED BY SERJEANT BALLANTINE:—My deposition was taken at Bombay before Mr. Edginton. I told him all I knew. Salam alone asked me to go to the Gaekwar. Ever since I came to Baroda he used to come twice a week to the Residency with the Maharaja. He told me it would be well for me to go to the Maharaja. He did not say why. I was very busy. I never went to the Maharaja. When I deposed to Mr. Edginton, I was in my master's service. I came to Baroda a month and ten days ago. I am with the Khan Saheb in the tent. I knew Raoji bin Rama at the bungalow since he came to serve at the bungalow. He had not come when I came there. I was speaking terms with him, not in particular friendship. Raoji never told me to go to see the Maharaja. I did not promise to go there. I did not say anything to Raoji, except about the payment of sixty rupees which I had received. I did not arrange with him to go and see the Maharaja. I never went to the Maharaja. Therefore I could not see Eshwant Rao at the palace, as I never went there. Eshwant Rao never conducted me to the Maharaja. The Gaekwar never spoke to me in presence of Raoji. I never went to the Maharaja's palace. I never had any conversation with the Maharaja. If Raoji says I

went with him to the Palace, it is false. If Raoji says that he and I went on two other occasions to the Palace, it is not true. I never went. I did go to Goa on one month's leave. On my return from Goa I did not go with Raoji to the Palace to see the Maharaja. I was never given a packet from the Maharaja as I never went to him.

Q.—Did Mr. Edginton put any of these questions to you? A.—What he put and what I answered are written down. In answer to him I told him as I tell today that I did not go to the Maharaja. I don't know Akbar Ali. I know Khan Bahadur. First, I made a statement to Khan Bahadur, according as is put in my deposition. Khan Bahadur asked me if I had gone to the Maharaja. I said I had not gone to him. I was told to tell the truth: to tell everything that was true. I was not told that it would be worse if I did not. Nobody told me that Raoji had said anything about me. I don't know that Raoji has said anything about me.

MR. SCOBLE SAYS IT IS AGREED THAT MR. EDGINTON TOOK THE STATEMENT OF THIS WITNESS ON THE 5TH JANUARY 1875.

The Secretary then read a deposition by Pedro de Souza taken by Mr. Edginton, Deputy Commissioner of Police, Bombay, dated the 5th January 1875, which was put in by Mr. Scoble and which was recorded as E.

BARODA, }
26th February 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

NO. XIV.—COLONEL PHAYRE STATES ON OATH:

EXAMINATION-IN-CHIEF

By MR. SCOBLE:—My name is Robert Phayre, Colonel in the Bombay Army, Companion of the Bath, and Aide-de-Camp to the Queen. I arrived at Baroda first on the 18th March 1873. I arrived as Political Resident. The Baroda Commission commenced its sitting at the beginning of November 1873 and continued till about the 24th December 1873. In March 1874 Mrs. Phayre left Baroda and went to England. I went with her to Bombay, and the ayah came in attendance. I returned to Baroda after three or four days. The ayah did not return: she had leave to go home for a month: we left her behind in Bombay. When in Bombay on that occasion, we were staying with General Gell. I don't recollect whether I and Mrs. Phayre went on that occasion to Government House. I left Baroda for Nowsari on the 2nd April with His Highness the Gaekwar. I now recollect I did go to Government House with Mrs. Phayre in March, and had tiffin. Mr. Boevey did not accompany me to Nowsari. He was in the district on boundary duty, and had been there some time. He joined me afterwards at Nowsari. His camp was at Nowsari. I remained at Nowsari till the 16th May 1874. I returned to Baroda on the 16th May. I came ahead to prepare for the Gaekwar's reception, and His Highness came a day or two afterwards; I remained at Baroda from that time until relieved by Sir Lewis Pelly, with the exception of short absences on duty. The Gaekwar also remained at Baroda from May until I left. His Highness used to visit me officially at the Residency twice in every week—on Monday and Thursdays—on which occasions, after the Commission, he was often accompanied by Bapubhai and Govindrao Nana, and after our return from Nowsari His Highness often came alone. These two sometimes came together, sometimes singly. He always came with an escort of outriders and sowars. I knew by sight those who always attended His Highness. Whenever Eshwantrao Jasud was present in Baroda, he always came with His Highness. Another habitual attendant was Madhaorao Kale, and the third was the Araswar Salam. There was also a son of Eshwant Rao. I always noticed these people in attendance on him wherever he went—at Nowsari as well as at Baroda. My private office was in a detached building, on the west side of

the main Residency building. It is connected with the main house by a covered verandah. In the detached building there is an ante-room in which native assistants used to sit, my private office, and a bath-room which I was in the habit of using. The ante-room is separated by a dwarf wall and two or three steps, descending from the connecting verandah leading to the main building. A man standing in the verandah can easily see at once into the ante-room, and also into my office if the door be open. The peons used to sit on a bench in the verandah at a right angle to the dwarf wall dividing the verandah from the ante-room. The peons usually in attendance were Raoji Havildar and Jemadar Narsu. They never attended anywhere else. Their post was on the bench described. Karim was there always in attendance on Mr. Boevey. It was Govind Balu Hamal's duty to look after my office room. The Hamal swept it; other people swept it, but it was his duty to attend my office room. I dressed in the room adjoining the private office. I rise early and go out to ride or walk every morning, and on return from that it was my habit to take a glass of sherbet prepared from pumaloes. Usually it was Abdulla who prepared it. It was the duty of one of the house-servants. Abdulla is also a chobdar. It was generally placed on the washhand stand in my private office. The wash-stand was in the far corner to the right front as you went in, so that a person looking from the verandah through the ante-room into the office could see it when the door was open. Before the 9th November last I had been ailing one way or other from about the middle of September. I remember particularly that about the Ganpati festival I suffered as if I had a bad cold in my head, and I had a bad boil on my forehead at that time. I did not get rid of the boil for about three weeks. Dr. Seward, Residency Surgeon, attended me and used to dress the boil every morning. The plaster used was some of it on the dressing-table, some on a side table in my private office, and, I think, I shifted some on to a little clock-stand above the dressing-table. I had a slight fever at one time; I frequently had this feeling of fullness in the head, and my eyes watered at one time. I used to sleep out at night, and thought perhaps I might have got malarious fever. Also I began to wonder whether the pumalo sherbet was made with proper pumalo. This must have begun about the end of September or beginning of October. I remember Govind Rao Rore. I went to an adoption ceremony on the 6th November. We arrived there about five of the afternoon. On the morning of that day, the 6th November, I did not drink the whole of my sherbet. I took a sip or two and threw the rest away. On that day, the 6th, I did not feel at all well. I was writing a good deal with Mr. Boevey that day. About mid-day I felt dull, stupid and sleepy with feeling of fullness about the head, such as I had previously experienced. When Mr. Boevey went toiffin, I got into an arm-chair and slept a half or three-quarters of an hour. That is unusual with me, unless I am very tired. Next day, the 7th, I came in and took a little of my sherbet. I felt the same symptoms, but worse than the previous day—fullness in the head, unfit for work. I did not call in Dr. Seward on either of those days. He had spoken to me about not looking well, and I said it might be fever. On the Monday I was always earlier, and had got off about 6 A.M. I returned about five minutes to seven. As I was coming up the walk, the approach to the Residency from westward, Raoji came along the verandah to meet me, and made two or three low salaams, an unusual thing, as generally at that early hour nobody is present. I saw no one else about till I got to my office room. Raoji came out and went back. There was no one in my office room. I came from the walk right into the ante-room through the door from the compound without going through the verandah at all. When I went into the office room the pumalo sherbet was there on the right hand side of me as I approached the washhand stand, as near as I can recollect close to the basin. It was in a position to be visible from the verandah if the door were open. I would also be in a position to be visible as I approached the glass. I went up to the washhand stand, took the tumbler of sherbet in my hand, and took two or three sips. I placed it again on the washhand stand, and then went to the writing table to write a letter which I wished to despatch by the mail

that morning. I wrote for about twenty minutes or half an hour, and then felt a sudden squeamishness as if I were about to be sick. The thought occurred to me at once that it must be the sherbet which was always disagreeing with me. I got up, took the tumbler from the washhand stand and tried to pitch all the contents through the window. The window opens on a chunamed verandah—rather a wide verandah,—and then comes the compound. As I was replacing the tumbler on the washhand stand, I saw a dark sediment collected at the bottom, and part of it pouring down the side of the tumbler. I held up the tumbler and looked at it, and the thought occurred, at once to my mind that it was poison. From that moment to my mind all my previous illness and sensations were accounted for. I put the tumbler down again and went to the table and wrote a note to Dr. Seward. The time was then about half-past seven or 25 minutes to 8. I called, but I don't remember into whose hands I gave it. I told whoever came to take it to the Doctor Sahib. Until Dr. Seward's arrival I sat waiting for him: my feelings were sickness, dizziness in the head as if it were going round a little, not much. Dr. Seward came in about between $\frac{1}{2}$ hour and $\frac{3}{4}$ hour. On his coming, I made over to him the tumbler and remains of the sherbet with request that he would analyse and report to me about it. I described my symptoms to Dr. Seward. He may have remained with me ten minutes, and he took the tumbler away with him. I told him to conceal it, as I did not know what it was. After Dr. Seward had gone, I dressed so as to be ready for the Maharaja, as this was the day of his visit. I think the Maharaja came about half-past nine, his usual hour. Between giving the tumbler to Dr. Seward and the Maharaja's arrival I had received no communication from Dr. Seward, nor did I mention my suspicions of poison to anybody but Dr. Seward. When the Maharaja came, I went out to receive him as usual, led him into the drawing-room and sat down. I asked His Highness after his health. He said he had not been very well; that there was a good deal of fever about; and that he thought he must have eaten too many sweetmeats usual at Diwali. He mentioned also that he had had slight headache and pain in his stomach, but was better now. The interview was not a long one, and when I got into the verandah, to escort him into his carriage, there was Eshwant Rao with Diwali sweetmeats, the usual tray. His Highness pointed out to me the particular kind of sweetmeats which he thought had disagreed with him. I then took leave of His Highness and went back into my room. After breakfast I wrote to Dr. Seward.

BY THE PRESIDENT:—After His Highness had left, I went to breakfast about 10 o'clock, and after breakfast wrote to Dr. Seward.

BARODA,
26th February 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

BY MR. SCOBLE:—After the visit of the Maharaja I mentioned my symptoms to Mr. Boevey before Dr. Seward came to see me. I saw Dr. Seward again that day when he returned between 11 and 12 o'clock. But I wrote him a letter in the meantime. The letter shown me is the one I wrote. I saw Dr. Seward again half an hour or $\frac{1}{2}$ after writing this letter; between 11 and 12 o'clock. But Dr. Seward had not seen the letter when he came to me. Dr. Seward, when he came at 11 or 12, stated what appeared to him to be the contents of what I sent. He told me that he had detected arsenic in the tumbler, more than sufficient to have killed me had I taken it all. After getting this information I gave orders to ascertain what people came into my room that morning, and I commenced enquiry among the servants at the Residency. I telegraphed to

Draft telegram read and recorded
as G.

Government at once that an attempt to poison me had been made. The paper shown me is the original draft telegram in my writing to the Private Secretary. I despatched this after Dr. Seward had told me of his opinion about

1 or 2 o'clock. I kept the enquiry quite secret. The servants knew about it. I did not allow any outsiders to know. Every one in the Residency knew about it. I know I arrested Raoji Havildar. On the 9th I placed in confinement Raoji Havildar and Govind Balu Hamal, Yellappa Hamal, and Lakshman Peon. It must have been at evening these four were placed in arrest. The other servants remained at large. On the 9th it was known in Camp that an attempt to poison me had been made. I directed that the rest of the sherbet sent to Dr. Seward should be sent to the Government Analyser. I continued enquiring as to who put in the poison. I did so for several days. We did it steadily the first four days, i. e., from the 9th till the 12th. Mr. Boevey and I made it. After my interview with the Maharaja on the 9th, I next saw him again on Thursday the 12th, when he came to call as usual. He was then accompanied by his Minister Dadabhai Nauroji. As a rule, he was not usually accompanied by his Minister. On the 12th His Highness remarked that he had heard a report that an attempt had been made to poison me. I understood him to say that he only heard it the previous day, i. e., the 11th; and that he had resolved to speak to me about it this morning. He then remarked that he had expected me to speak about it on the previous Monday, but I had not done so. I said I had not mentioned it, and I then described to him what had taken place. Mr. Dadabhai Nauroji said he had first heard the report on the 10th, but did not believe it; but that on hearing it repeated on the 11th with greater force, he did believe that an attempt had been made. I remember the Maharaja expressing his surprise that I did not take an emetic when Dr. Seward recommended it to me. Nothing further passed that I remember. I think on that day Dadabhai asked if I was making enquiry, and I said "yes," and he said "I hope you will be successful in finding out the person who made the attempt." I afterwards received a *yad* from the Durbar in relation to the matter, i. e., three or four days after—at least on the Saturday night following. I believe the document shown me

Document shown of 14th. December 1874, and recorded as H.

of the tumbler out on to the chunam. Afterwards, at the suggestion of Dr. Gray, I scraped it up. I think the suggestion may have been made through Dr. Seward.

Letter of 13th November 1874, from Dr. Gray to Dr. Seward shown.

Letter of 16th November 1874, from Colonel Phayre to Dr. Gray, read, and recorded as I.

Letter shown, dated 19th November 1874, from Dr. Gray to Colonel Phayre, read and recorded as J.

Statement recorded as K.

In consequence of this, I myself went and scraped up as much as I possibly could and sent it to Dr. Gray. Others were with me. So far as I re-collect, I made up the packet myself. It was scraped up by a puttewala in my presence. I sent the matter so scraped up to Dr. Gray with the letter shown me which fixes the date. Either I or my native assistant sealed up the packet; it was done in my office. The letter received in answer from Dr. Gray is that now shown me. The crest of a bird alluded to is mine, and the seal would be mine. I think I made a statement in writing on the 16th November. It is that now shown me. In September I had a boil on my head, to which some collodium was applied. I put it on by a lint plaster from ignorance. The effect was that it stuck so hard on the boil that I thought I had done wrong. Getting some hot water, after considerable time I got it off. I then told Dr. Seward about it. When I was taking it off, I was standing by the table where the collodium was near the washing-table. It was in the morning about 8 or 9 o'clock when I was dressing. Servants and peons were standing outside.

CROSS-EXAMINED BY SERJEANT BALLANTINE:—On March 18th I came to Baroda in 1873 to take up my appointment. I had just come from Pahlapur where I held an appointment. It is in Northern Gujerat. I was Political Superintendent there. I held that six weeks I think. I have held many appointments. Previous to that I was Political Superintendent in Upper Sind and Commandant-in-Chief, Frontier Brigade. I quitted that to go home on leave at the end of 1872. I did not return to it. My appointment was not cancelled. It was

under the Bombay Government. I don't know whether or not I have the document terminating my appointment. I have the Government Resolution exonerating me in the whole matter. I have documents, but will not say whether it was a removal or not. I am not aware whether the Gaekwar or his Minister had copy of that document. It was a Government document; he could not have honestly come by it. I never heard that the Gaekwar was in possession or that his Minister shewed it to Sir Lewis Pelly.

MR. SCOBLE OBJECTS THAT COLONEL PHAYRE'S CONDUCT IN UPPER SIND IS NOT BEFORE THE COMMISSION. SERJEANT BALLANTINE EXPLAINS; THE PRESIDENT RULES THAT IT IS ADMISSIBLE TO SHOW WHAT THE GAEKWAR KNEW.

I could not say whether the paper shown me is a correct copy, as it is marked "private." I do not believe it is a copy substantially correct. I don't recognise it at all. If I saw the Government Resolution and my reply, I should know. I am willing to tell everything. I advised prosecution of certain persons for gross faults. I cannot use any Government paper without sanction of Government, I have one Resolution of the 6th May, and the final Resolution of Government. I can get them from Bombay. In November 1873, a Commission began its sittings at Baroda, to enquire into certain charges of mal-administration by the Gaekwar. General Meade was President thereof. It ended the 24th December 1873, and subsequently an elaborate report appeared. On the 7th May the Gaekwar married. A kharita was written complaining of my want of respect.

The real cause was that the Government directed me not to go to the marriage; it was not personal, but connected with my official position. The Gaekwar continued to visit me privately all the same. Kharitas all went through my hands. One went to the Government of India about the 17th May from the Gaekwar. I know of an answering kharita of 25th July, from the Viceroy to the Gaekwar. Its effect was to give the Gaekwar an opportunity of reformation till the end of 1875,—progress being reported by me to Government when I thought necessary. There had been no question between me and the Gaekwar about appointment of Dadabhai Nauroji. He asked my opinion about it, which was adverse, but I said that according to the Viceroy's orders His Highness was to judge for himself exclusively. This was the Governor General's order to the Gaekwar. The Gaekwar appointed Dadabhai who continued to act. He had been Minister for nine or ten months before. From about the 10th or 12th August 1874 my communications commenced with Dadabhai as Minister. Before that Dadabhai had carried on the administration himself. We met daily and discussed matters. I made complaints to the Gaekwar, who summoned Dadabhai. A kharita, dated 2nd November 1874, went from the Gaekwar to the Viceroy. I sent in a progress report the same day.

SERJEANT BALLANTINE READS A KHARITA TRANSLATION FROM VICEROY DATED 25TH NOVEMBER 1874. RECORDED AS NO. 2.

Read a kharita dated 2nd November 1874 from the Gaekwar to Viceroy; recorded as No. 1. It is a translation.

The kharita of the Viceroy in reply did not come through my hands. A child was born; the marriage took place on 7th May, and the birth occurred on the 16th October 1874. In September and October I suffered from a boil in my head, for which Dr. Seward attended me. From the commencement he supplied and applied the plaster. About that time it was I had slight fever and fulness of the head and watering of the eyes: these symptoms commenced before and continued after the plaster. At that time I began to wonder if the sherbet was made with proper pumalo. I used generally to drink the whole of it. Sometimes I threw it away. I said once to Abdulla why he had not made it: he brought two pumaloes and said the reason was that the pumaloes were bad; at that time I did not investigate about the pumalo juice. I did not say that I noticed a peculiar taste on the 6th November. I took a sip or two that day. After that I did not feel well, heavy in the head, like I was in September and October. On the 7th November I did not drink the whole of the sherbet. On the 8th November it was Sunday and I did not drink as I had not been well on Saturday; on the 9th I threw much of the contents out of the window. What was left in the tumbler was

not sherbet, but a dark substance. I saw some dark substance at the bottom of the tumbler and a little liquid pouring down the side of the tumbler—a very small portion. After depositing itself, this liquid covered the bottom of the tumbler; there was enough at the bottom of the glass for two tea-spoonfuls, or perhaps a tea-spoonful and a half. Dr. Seward saw the whole of it. I never touched it. What I saw was not pumalo juice,—but of another colour, quite different from pumalo juice. Pumalo juice is red.

SERGEANT BALLANTINE READS FROM LETTER.—I received private information from people who generally gave me information that what was administered to me was arsenic, finely powdered diamond-dust, and copper. I could

Letter dated 13th November 1874 from Colonel Phayre to Chemical Analyser, read and recorded as No. 3.

scarcely go out without being met by many petitioners everywhere. Many people used to come and give information. I did not pay for it. These people had never received money from me, nor do I know they had ever received money; I believed they had not. I cannot with reference to the words "Secret and confidential information" mention the exact person who told me of copper having been administered. I could mention several among whom the person was.

Q.—What do you mean by "the importance of verifying this information is obvious?" A.—Of course it was to know if it was diamond dust or not. I can give a list of my informants, and if the Court desires, I would try to find out who it was. I did not see the necessity of recording my informant's name or noting down his evidence. I wanted that of the proper man—the Chemical Analyser. It was secret and confidential, and I did not know that it was right. I know Poonekar. It was either Bhau Poonekar or another man, perhaps. I will enquire. I don't know whether it was Bhau Poonekar or not. There is another man Balwant Rao Munshi. It was I believe one or other of those two; but I am not sure. I gave Bhau Poonekar's name as an honourable person who gave me much information in the cause of reform. He is honourable and reliable. He was not adverse to the Gaekwar in representing grievances of the people. In cases in which he believed it to be adverse to the Gaekwar, it was and it was found to be. But he was not always adverse; nor was he adverse as a general rule. He gave information regarding many of the cases before the Commission, but not all of them. Sadak Ali's case was not one of them: he made it himself. Sadak Ali's case came to me first from Government to report upon. Bhau Poonekar did not get it up or manage it before the Commission. It was begun long before. I have no doubt he gave Sadak Ali a little assistance. What I was told about copper by my informant was that the ingredients put in my glass were arsenic, diamond dust, and copper. That was what we call "kutchi khubber" (imperfect information.) I did not enquire into it at all, it being kutchi khubber. It depends where it comes from whether it is secret and confidential information. I sent it to the Doctor to verify it. I said to Dr. Seward that after drinking the sherbet there was a coppery taste in my mouth, which I had not had before. I did not taste it in the liquid, but a considerable time after drinking it. I said to Dr. Seward, when he asked my symptoms, that I had a coppery taste and tendency to salivation. This was about three-quarters of an hour after drinking. I may have smoked a cigar in the interval. It was not in consequence of the taste, but of the effects I felt, that half an hour after I threw away the contents of the tumbler. I did not throw them away till twenty minutes or half an hour. I allude to the 9th. It was the feeling I had twenty minutes after which induced me to throw away the liquid. On the 6th and 7th I had no taste. I can't account for my not continuing drinking it on the 6th and 7th, except the mercy of God preventing me. There was no human reason for this. I sipped it and left it, as if I did not want it. I had no reason for throwing it away. On the 7th I had been unwell after drinking on the 6th, and that may have prevented me. On the 6th I simply took it up, and threw it away. On the 7th I had been unwell the day before; it was not the taste of the sherbet, but the effects upon my health. Raoji Havildar was among the persons I examined. Among other things he said: "I suspect Faizu, because he has for a long time past engaged in all kinds of intrigues, in the time of Colonel Barr and Colonel

Shortt. In Colonel Shortt's time he used to go with Colonel Shortt's butler to Raholkar's, Nana Saheb and others." Bhau Poonekar had access to the Residency and to my private office. Not in my absence, never; but in my presence. Many others also had access to it. I never found Bhau Poonekar in my office when I came back, in my private office. I may often have got up in my room during the day and found him when I came back. I never found him when I came back in the morning. I never found him that I know of in my private office when I had not left him there. Certainly it was never his custom to come, when I was out, into my private office and wait there. He may have gone to the ante-room and sat with my clerks. I did hear from Bhau Poonekar that the *kharita* of 25th November was to be sent from the Darbar. It may have been the next day. It may have been either the day or the day before, as far as I remember. I don't know how Bhau Poonekar knew. He mentioned that a letter, or answer to the Governor General, was under preparation. He did not tell me how he knew, nor did I ask him. He did not tell me the nature of it. He merely said a letter was under preparation to the Governor General. I don't know whether complaining of me. I swear positively I did not know the contents of that *Kharita*. I did not learn the general contents, nor whether it complained against me. I formed an idea it was such a thing. Bhau Poonekar was an agent of one of the nobles of the State named Meer Ibrahim Ali. He came to the Residency on business often, and when I first knew him, on business connected with a ward of Government, Meer Zulfikar Ali. It did not occur to me to ask him how he got this information. After the attempt to poison, Bhau Poonekar was at the Residency that day: I remember him after breakfast. At that time I did not tell him about the circumstance. I am sure I told nobody till after seeing Dr. Seward. I don't remember when I told Bhau Poonekar. I think it was the 12th or 13th I was told about the copper. I have lately seen Bhau Poonekar. I saw him since I left this Court. I asked him if it was he who told me about diamond dust and copper. He said it was he.

RE-EXAMINED BY MR. SCOBLE:—The *kharita* was written complaining of want of respect. With reference to the Gaekwar's marriage at Nowsari. I acted according to directions of Government, and my action was entirely approved by Government. I communicated to the Gaekwar the orders of Government respecting the Nowsari marriage. The paper shown me of the 29th June is the draft of the *yad* I communicated. The approval was from the Government of India. The Gaekwar, not himself personally at first, but through his *Karbharis*, asked my opinion of the appointment of Mr. Dadabhai. On the

Mr. Scoble reads English translation of *yad* of the 27th August 1874, which English paper is recorded as L.

27th August 1874 I addressed a *yad* on the subject to the Gaekwar. I did thence forward give Mr. Dadabhai all assistance in the discharge of his duties. He never complained to me that I did not assist him. More than once he acknowledged the assistance given by me to him in the Sirdars' cases. The persons who were in the habit of giving me information were not employed by me, but came voluntarily. I never paid, nor authorised payment, for information so given. In *kharita* of 2nd November there are two charges, *viz.*, about Chanderao Sirdar and some Sindhi cultivators. These charges are not correctly stated. I had talk with the Gaekwar about *kharita* of the 2nd November. All *kharitas* are sent through me and copy given me for my information. I had this talk the first day he came after I received it, *viz.*, on Thursday the 5th November. I mentioned to him about the *kharita*, and mentioned my extreme regret that such a *kharita* had been sent. The purport of the conversation was that the allegations made were not correct. The Gaekwar said it was Mr. Dadabhai who had written it and was responsible for it. I then explained to His Highness that the object of his being allowed to select his own Minister was to make the Gaekwar responsible for what was sent to the Viceroy or the Bombay Government. From the time, on the 9th November, when I sipped the tumbler till the time I threw the contents away, nobody had any access to the tumbler. Till I handed over the

the presence of poison (witness explains). We began to suspect the presence of poison. Colonel Phayre said he had heard of such things; he had heard that such attempts might be made against him, but he had not suspected it till this time. He said he had taken the sherbet about half an hour before. He showed that he had nausea and a soreness in the throat and stomach. He did not say so, but by a expressive motion he made me understand it. I think he said he had a confusion in his head and that he could not write. He said he had a soreness, and from his action I understood it was in throat and stomach. Colonel Phayre showed me where he threw the contents of the tumbler. I went with Colonel Phayre to look. Evidently some fluid had been thrown there on the verandah which was wet. There were some things also which I call flocculi like little pieces of white cotton—such things as are not found in sherbet. Colonel Phayre told me that he had suffered on previous days, i.e., that he had had colic pains and nausea. I took away the tumbler to analyse. Going out I again saw the peons Narsu and Raoji. I carried the tumbler away in the breast pocket of the pea-jacket I wore, and I put a handkerchief over it. It bulged. Raoji was assiduous as I came out. He brought my hat and umbrella, looked at me, scanned my face, and his demeanour was different from the usually impassive Residency peon. Narsu was very grave, and his manner was unusual for him. I went back to my house on foot. On my way back I met the man Mahommed Baksh. I met him at the Ranees' bridge, in the middle of the maidan, between the Residency and my house. He was coming towards the Residency. I spoke to him. There was a conversation. He in reply to a question of mine told me something. He must have come across the maidan, i.e., from a direction opposite the Residency. After crossing the bridge I saw two horsemen going towards the Residency. I recognized one. His name is Eshwant Rao, the same who used to go with the Gackwar to the Residency.

BARODA, }
27th February 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

DOCTOR SEWARD.

EXAMINATION-IN-CHIEF BY MR. INVERARITY:—When I got to my house with the tumbler I put it into my desk with its contents, and kept it there till I got apparatus for testing. I procured some fresh wood charcoal. Before doing so I put a little of the sediment under the microscope. The sediment presented under the microscope a white opaque granular substance, which seemed to me like pounded alabaster. There was a white crystalline substance, transparent; there were one or two dark gritty particles. I observed nothing else in the sediment under the microscope. The sediment I put on the glass slide I put into a little glass mortar which I had very carefully cleansed. I then rubbed this sediment with a little of the charcoal. I then put this mixture into a new and unused test tube. This I heated in the flame of a spirit lamp. At first there was a little moisture deposited from the other part of the tube inside the tube. I removed that moisture with a little blotting paper. I again heated the mixture in the flame. On removing the tube from the flame I observed a metallic ring. I have that ring. I might have called it a deposit within the tube. I produce the tube. I point out the metallic ring. On heating the tube again a little and withdrawing it from the flame I observed what evidently was a crystalline deposit on the tube, both above and below the ring. Under the microscope the crystals appeared to be lustrous and octohedral. The metallic ring and crystals indicated arsenic. I got the charcoal and tube sent from the dispensary. I made no further experiments that morning. I had no chemicals. I remember that morning receiving a letter from Colonel Phayre. The letter shown me is the one. I did not send reply to that letter. As I was going in my gari I met that letter. I ordered my tonga and went straight to the

Witness produces a tube, which is recorded as M.

The letter marked F is shown and recorded.

Residency, and there I saw Colonel Phayre. I told him the result of my analysis. I wrote a letter to Colonel Phayre in his presence and that of Mr. Boevey.

LETTER OF 9TH NOVEMBER 1874 FROM DR. SEWARD TO THE RESIDENT, COLONEL PHAYRE, READ AND RECORDED AS N.

I threw the sediment that remained in the tumbler into a piece of blotting paper made into a filter. Some portion of the sediment remained in the tumbler. I poured a little water into the tumbler, and passed that also through the blotting paper filter. By that means the sediment remained on the paper after the water had passed through. I dried the blotting paper near the chimney of a lamp. When the paper was sufficiently dry I folded it up and put it into an envelope. I put my seal on the envelope. I show my seal on the envelope.

Shows envelope, and afterwards large envelope. The writing on the back of the envelope is mine. That was written on the morning of despatch. I sealed the envelope at night. In the morning I despatched it in a registered letter to Dr. Gray, Chemical Analyser. I put the envelope containing blotting paper in a larger envelope. The large envelope shown me is the one in question. On that occasion I did not write to the Chemical Analyser, but enclosed Colonel Phayre's letter,—I mean exhibit F. On forwarding it I made the endorsement on it [*Mr. Inverarity reads it*]. I sealed the large envelope with the same seal as the small envelope.

THE SMALL ENVELOPE CONTAINING BLUE BLOTTING PAPER IS RECORDED AS O, AND THE LARGE ENVELOPE AS P.

After that I received this reply from Dr. Gray. I made further experiments some days after. I took the mixture from the tube and threw it on the surface of some water and allowed the heavier particles to sink to the bottom and poured off what was floating. After repeating this process three times, several times I collected the sediment, and placed it on some glass slides which I can now produce. These are them.

WITNESS PRODUCES A CARD-BOX CONTAINING SLIDES.

I placed the sediment on these slides under a microscope, and saw that it consisted mainly of these lustrous crystalline fragments. I then passed a clean glass slide over the sediment with a rubbing motion once. I found the clean glass slide after that rubbing presented the appearance it now bears. The scratches were not there before. By passing the one over the other I mean I rubbed the two together, the sediment being between the two slides.

The slides recorded as R. There are three of them.

A glass slide is produced and shown, and recorded as S.

The conclusion I came to was that, whatever the nature of the sediment, it was not glass. I thought it might be diamond-dust, of which I had heard, because the particles were so very lustrous. I mean rather "of what I had read" either in papers or in Dr. Gray's letters. I remember receiving certain information which I communicated on the 10th November to Colonel Phayre. The letter shewn me is the one in question. I sent a short note. This is the formal letter.

Letter of 10th November 1874 from Cantonment Magistrate to Resident is shown, but not marked.

I said that on shaking the tumbler a thin film came up. This is one of the indications of arsenic. From the time I received the tumbler from Colonel Phayre till I concluded my experiments, none but me had access to the tumbler, the sediment, or the apparatus. I remember the ayah Amina being under my care. On looking at my book I say that she came under my care either on the 17th or 18th December; I believe the 18th December. She had then fever. She was in much pain on the right side. She appeared to have congestion of the liver. The base of the right lung and some of the wind-tube were affected. I considered her illness serious. I saw her before she came to hospital in a house in Mr. Boevey's compound. By my advice she was moved thence to the hospital. When she was in hospital I had a conversation with her. She scarcely gave me a message. She appeared very ill and restless. I thought

she might have something on her mind. I thought it might help her recovery if she unburdened her mind. She then told me something. In consequence of what she said I went to Mr. Souter. I have no personal knowledge as to whether Mr. Souter came to the hospital after that. I don't remember the date of my going to Mr. Souter. I have no notes to refresh memory. It could not have been more than two or three days after the 18th December.

CROSS-EXAMINED BY SERJEANT BALLANTINE:—I knew she had been examined by Mr. Souter before coming to hospital. I did not know the nature of her communication; I knew that of the enquiry. I know nothing about a blister. Her liver was queer. Dr. Lewis had doctored her. I thought her uneasiness might be mental rather than the result of blister or physical pain. My treatment much relieved her; but oppression remained on her mind and countenance as if conscience was at work. The hospital was the regimental one, where Dr. Lewis is Surgeon attending. I attended her because she was ayah of a friend, and I liked to do it, and Surgeon-Major Lewis was my friend. I did not communicate with Dr. Lewis, because it was not necessary. I am not sure I prescribed for her. The plaster I prescribed was before her going to hospital. After she went there I don't remember prescribing for her. I assisted her to unburden her conscience. The ayah and I understand each others language. She spoke in Hindustani and understood a little English. We had no interpreter. There was a policeman there. I don't know who he was. I know none of them. I know Akbar Ali. It was not him. I don't know if it was Abdul Ali. I believe she was under police surveillance. There was a policeman in her room, an ordinary policeman. I know nothing about usual medical practice, but I knew Dr. Lewis, and I did not mind seeing the woman as I had an interest in her. It may or may not be a usual thing. It depends on the relation between the Doctors. With a private person it would not be etiquette: nor usually at another doctor's hospital. Dr. Lewis is quite competent for his duties. I have seen Bhau Poonekar once, but can't say I know him. It was after Mr. Boevey's departure from Baroda he came to my house. As far as I know, I never saw him before, nor that I have spoken to him since. I can't say when Mr. Boevey went away. I don't believe I saw Bhau Poonekar since. As far as I remember, the policeman present did not interfere in my conversation with the ayah. I don't know that the policeman interpreted. I don't remember whether he did or not. It is possible he did. I don't remember. I can swear I did not get every word of her message from the mouth of the policeman. I cannot tell you whether I got the substance from the policeman. I have no belief on that subject. I can talk Hindustani, not fluently.

Colonel Phayre told me that he had heard that his life was threatened, but up till that time (the 9th November) it had not been attempted. He did not tell me from whom he had heard that there might be attempts against him. When I got to the Residency, I saw the tumbler. Colonel Phayre shewed me the tumbler. As far as I remember, he held it a little obliquely; it was a sediment then, not diffused in the liquid. There was just enough liquid. There was something down the side of the glass. The darkish brown colour would not be consistent with arsenic or diamond dust. I decline to give any opinion as to whether there must have been something else. I saw no dark brown sediment. What sediment I saw seemed to me to be of faint fawn colour like some sea-sands. The words "pale grey" might be a fair description of the colour. I mixed a little water with it. I did not analyse that water before I put it in. Generally an analytical chemist analyses all substances he works with. There are instances on record in which the poison supposed to be found came from the tests used. There was about a dessert spoonful of remains of the sherbet and about five grains of sediment. After adding the water in Colonel Phayre's room I took it home in my pocket in the tumbler. I then used the charcoal test, called test by reduction eliminating certain appearances subsequently convertible into original element. Thus the metallic ring can be shewn to be arsenic. The salt of arsenic can be brought out. The ring, as

far as eight-sided crystals go, shows arsenic. They exist in the tube. They are almost surely conclusive: other mineral poisons would not produce similar crystals. Corrosive sublimate would not. The charcoal was brought I think by my Hospital Assistant himself with the other apparatus. I did not at that time test the charcoal. I did not afterwards. I sent it to Dr. Gray—the remainder of it. I made no attempt to test the liquid. I merely tested the sediment. The liquid was thrown away. I eliminated the liquid from the sediment and tested the sediment only. It may have been an omission of mine not to test the liquid. I only tested for arsenic. There are poisons whose foundation is copper. The common one of these is verdigris. I did not test for copper. There was nothing to indicate the presence of copper. The colouring would usually indicate copper. I cannot from my analysis account for Colonel Phayre's feeling a copperish taste. I don't remember the specific gravity of arsenic in relation to water. It is much heavier. If arsenic is well mixed and then put into a tumbler, I can't say if it will get up to the top. I have tested for arsenic at home under Hoffman. I have since made one experiment only. I did not weigh the sediment. I think I experimented upon one-third of it, rather more than a grain, sending up the remainder to Dr. Gray. What I experimented upon was one or two grains, between one and two grains. With the glass slides I used the whole of the sediment I had got. This brought out the metallic ring. I put all the sediment into the reduction tube. I can't say I used it all up, as some remained on the slides. For the slides I operated on that which I had already put into the tubes after subjecting it to heat. It was after detecting arsenic, not after extracting all the arsenic. I can't say if the arsenic colouring the tube is more than $\frac{1}{8}$ th or $\frac{1}{16}$ th of a grain. The residuum left in the tube was dried charcoal and whatever was mixed with it. I took the whole out for the other experiment. I did not weigh the charcoal on which I experimented. There was no necessity. My last experiments were made on about a grain that remained in the tube. By the process I used I brought out a crystallised appearance on the slides. The scratch indicated would come by renewal of same experiment on other slides. I sent Colonel Phayre's letter to Dr. Gray with an addition—[Serjeant Ballantine reads from some letter]. I think it refers to what I wrote. It was my first communication to Dr. Gray. There is some mention on the envelope. I think about result of my analysis. That (exhibit D) is my communication. I believe arsenic is used in manufacturing some varieties of glass. I could scratch a plain piece of glass. I think there is a variety of corundum that will scratch glass. I mentioned the demeanour of the servants to Mr. Boevey. I can't tell you when. Before Mr. Boevey left Baroda. It was before the 24th or 25th December. I think it was shortly after the inquiry. That's all I can say; that it was before the 25th.

DR. SEWARD SCRATCHED THE GLASS S. WITH ONE OF THE SLIDES ON WHICH THERE WAS SEDIMENT AND PRODUCED SMALL SCRATCHES ACROSS THE TOP.

RE-EXAMINATION BY MR. SCOBLE:—The ayah had been my patient before going to hospital only for one day. In serious cases it was my duty as Residency Surgeon to attend Residency servants. She was too seriously ill to remain where she was, unattended, at a hut in Mr. Boevey's compound; therefore I sent her to the hospital. My visit to her in the hospital was not to prescribe for her, but I took an interest in her as Mrs. Boevey's ayah. In the hospital she was in a separate room. The policeman was I think standing or sitting at the door. I think one of the hospital assistants came in with me when I visited the ayah. I don't remember which hospital assistant it was. The policeman was a Bombay policeman. He seemed, as far as I remember, to be an ordinary police sepoy, not a subadar or havildar. I can speak Hindustani well enough to dispense with an interpreter. I frequently get one if I find myself unable to carry on the conversation. I noticed the liquid in the tumbler to be dull pink in colour. I added possibly about a table spoonful of water. To the best of my belief, I got that water from a water goblet on the wash-hand stand. I took the first water that came to hand. My hospital assistant was a man named Abrahamjee. He has now left Baroda; he is a Jew. I think

I either sent a note or called him. I did not tell him or any body why I wanted the charcoal and tube. Shaking arsenic in water in a small bottle might have the effect of diffusing the arsenic more thoroughly when put in a tumbler. Diamond-dust would naturally sink to the bottom. On detecting arsenic I ceased further trial. I could pursue inquiry myself. I had no apparatus. I think corundum is a metallic oxide. I don't know if chemical tests would discover corundum. I first discovered the film before I added any water.

BY SIR DINKAR RAO :—The poison was arsenic in my opinion. I have no knowledge as to whether a man can digest diamond-dust without harm.

BARODA,
1st March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

NO. XVI.—DR. WELLINGTON GRAY STATES ON OATH :

EXAMINATION-IN-CHIEF

BY MR. SCOBLE :—My name is Wellington Gray, Surgeon, Bombay Army, and Acting Chemical Analyser to Government. On the 11th November last I received a registered letter from Dr. Seward, Residency Surgeon at Baroda—a registered cover.

The letter shown (P) is the outer envelope of the packet. The seal was perfect. The envelope (P) contained a small packet and a letter. The letter (F) is the letter it contained. The exhibit (O) was the envelope of the packet enclosed. It was sealed with a perfect seal. It bore

Exhibit P shown witness.
Ditto F ditto.
Ditto O ditto.

the endorsement in Dr. Seward's hand-writing which it now bears. In the envelope (O) I found a piece of blue blotting paper folded. Inside the blotting paper I found some powder; the powder weighed a grain and a half. Its colour was greyish. I noticed that it contained glittering particles. I analysed the powder by the usual process for the detection of arsenic. It was not the reduction test I first used. I first heated a little of the powder. The result of the process was a white sublimate on the side of the tube. I next examined that sublimate under the microscope. I found that the sublimate consisted of eight-sided crystals. I examined those crystals thoroughly. The result was that I concluded them to be crystals of white arsenic. I did this by first boiling them in a little water. I then took part of the water. I added a drop of solution of ammonio-nitrate of silver, and it produced a pale-yellow precipitate. I then took another part of the water of solution, and I added some ammonio-sulphate of copper, and the result was a pale-green precipitate. I then added some muriatic acid to the remainder of the solution. I then passed some sulphuretted hydrogen gas through the acid solution. I had first boiled the acid solution. The result of this was a bright yellow precipitate. The results I obtained by these three experiments. I tested the precipitates. I added ammonia to all three, and they all dissolved. I added the ammonia to part only of the last precipitate and kept part of it for another experiment. I boiled that part in strong muriatic acid, and it did not dissolve. All these tests satisfied me that it was arsenic. I used about the sixth part of what powder I had received in these experiments. I made further experiments with the remainder of the powder. I made them in connection with the arsenic. I boiled a little of the remainder with water and muriatic acid. I then put in two pieces of clean copper foil, and I continued to boil it, and in a few seconds the copper foil became covered with a grey metallic deposit. I took out one piece of copper foil. I dried it. I heated it in a test tube, and a white sublimate formed on the side of the test tube. I examined that sublimate under the microscope and found it consisted of eight-sided crystals. I ascertained by test what those crystals were. I went through exactly the same sort of tests as I have just described and with the same results. I also tried to test by reduction with charcoal. I have the test tube showing the result of that experiment.

WITNESS PRODUCES A GLASS TEST TUBE.

I point out the metallic ring on it. This ring is one of the signs of the presence of arsenic. It may be reduced again into white arsenic by heating; I did not make that experiment. The bottle I have got contains some of my

The test tube is put in as T and so recorded.

results of my experiments. I made no other experiments on the 11th. I made some since. I did not on the 11th make any experiments to ascertain what the glittering particles were. They were not affected in any way by the experiments I made about the powder generally. On the 11th I did examine some of the glittering particles under the microscope. That was the only examination I made of them on the 11th. The result was that I thought them to be either powdered glass or powdered quartz. On the 11th I communicated the result to Dr. Seward. The letter

Exhibit Q is shown to witness.

shown me (Q) is the communication. On the 12th I made a further examination of this powder. On the 12th I opened the piece of blue blotting paper, and on looking at the powder I was struck by the brilliancy of some of the particles. I was led to the conclusion from my examination that they were diamonds. First of all my examination of them was simple inspection. I then tried to dissolve them by all the ordinary acids and then with an alkaline, viz., potash. I found the particles not soluble. The result of my experiments was my writing this letter to Dr. Seward. At the time I wrote this

Letter of 13th November 1874 from Dr. Gray to Dr. Seward shown, read, and recorded as Exhibit U.

letter I had not received any communication from Baroda mentioning the possibility of diamond-dust being in the powder. The opinion I formed as to presence of diamond-dust was the result entirely of my own inquiries. The letter from Baroda came after this. I received this packet

Packet shown to witness.

on the 17th November—a registered packet, sealed with a seal bearing crest of a bird. The seal was perfect when I received it. Inside it I found a small packet and also a letter.

Exhibit I shown.

The letter shown me (I) is the one contained. In the small packet I found some earthy matter, seventeen grains in quantity. I examined it. I found it contained arsenic and also sand and glittering particles. The glittering particles were similar to those sent in the previous packet. I ascertained the presence of arsenic in the earthy matter by the same tests as on previous occasion. I point out the tube containing the metallic ring of the second packet. I formed the same opinion about

Glass tube is marked V—a short tube with a bulb.

the nature of these glittering particles as of the glittering particles in the former packet. In neither of these packets did I detect the presence of any poison but arsenic. In the first packet the whole quantity of arsenic I found was one grain, and in the second packet one grain and a quarter,—total 2½ grains of arsenic. Under favourable circumstances for the action of arsenic, that is, on an empty stomach, about two grains and a half is a fatal dose for an adult. Usually the effects of taking arsenic begin to manifest themselves in from half an hour till an hour. Of arsenical symptoms the first usually noticed is a dizziness, then nausea followed by vomiting, burning pain in the stomach, purging. Chronic poisoning or repeated small doses of arsenic produces an effect on the eyes. It makes the eyes water and feel weak and sore. If arsenic is applied to a sore or wound, it produces effects—may be, fatal effects. I cannot say whether the mixture of diamond-dust with the arsenic would affect the diffusion of arsenic with the water. If arsenic were first mixed in a small bottle, and shaken and then poured into a tumbler, it would cause the diffusion of the arsenic through the contents of the tumbler. The production of a film, as described by Dr. Seward after shaking it about in a tumbler, would indicate presence of arsenic. I did afterwards on the 30th December receive a third packet from Mr. Souter. It contained another small paper packet, inside the envelope. I examined the contents of that packet. I found it contained

seven grains of white powder. The powder was white arsenic. The envelope shown me is that of the packet of 30th December, and inside is the paper of the packet. There was a piece of thread besides. Except the arsenic, the paper, thread, and envelope are here. The whole of the powder, seven grains, was white arsenic. I also, at Dr. Seward's request, examined some charcoal sent me by him. I received that packet on the 30th January 1875. I tested the charcoal. I found it was free from arsenic. Diamond-dust has, according to the best authorities, no injurious effect on the human body.

Envelope shown to witness enclosing paper shown and recorded as W.

THE PRESIDENT DISALLOWS A QUESTION AS TO WITNESS' KNOWLEDGE OF OPINION OF NATIVES AS TO THE EFFECT OF DIAMOND-DUST ON THE HUMAN BODY.

The question has been discussed among medical men as to whether diamond-dust has injurious effect on the human body. The result of that discussion is that it is harmless.

BARODA,
1st March 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

CROSS-EXAMINATION BY SERJEANT BALLANTINE:—I extracted the arsenic from part of the powder. I examined the metallic ring only with the microscope. It is quite possible to go further and to produce the arsenic. There are several sorts of copper which are poisonous, e.g., sulphate of copper. A person drinking a liquid with sulphate of copper in it would find a strong metallic taste. It is at once tasted. The taste would continue for some time. Sulphate of copper has an astringent effect on the throat. It would cause colicky pains, and not an increase of saliva as I am aware, not till it began to affect the stomach, on which it would act in much less than half an hour. The time depends more or less on the state of the stomach. The moment nausea begins there is an increased flow of saliva. Arsenic taken chronically produces salivation, but one does not look for it necessarily after a single dose; $2\frac{1}{2}$ grains of arsenic would kill a person. As no stomach pump was used on Colonel Phayre, and whatever he took remained in his stomach, the quantity must have been small. What he took was enough to produce nausea, and therefore saliva, and the same might result from copper. Salivation is always one of the first symptoms of nausea. I can't say it was improper of Dr. Seward to add water to what he meant to analyse. It is possible to find substances in water. It was six days after my first analysis that I was sent what was said to have been scraped up from the ground.

• RE-EXAMINATION BY MR. SCOBLE:—The extraction of arsenic bodily from part of the powder was not with the reduction test, but the sublimation test. I found no trace of copper in either the first or second powder sent me. Having been informed about copper being suggested, I did direct my analysis to detect copper. Arsenic is not what is called an accumulative poison. It passes off with the natural secretions of the body. There is diversity of opinion as to whether arsenic produces a metallic taste in the mouth. It raises the question as to whether arsenic has a taste. I have tried to taste it, but found it had no taste. I have seen a person suffering from poisoning by arsenic, and he complained of metallic taste in the mouth. In the course of my experience as Analyst I have noticed that a metallic taste in the mouth was described as one of the symptoms in arsenical poisoning. My analysis of the powder contained in the third packet received from Mr. Souter enabled me to know that it was the same substance as that received in the other two packets.

BY SERJEANT BALLANTINE:—In physical characters there are varieties of white arsenic. I say that the arsenic was the same from ocular inspection by microscope. The physical characters of both were exactly the same under the microscope. I don't mean coppery taste by metallic taste.

By HIS HIGHNESS THE MAHARAJA OF JEYPOOR:—Arsenic is soluble in water.

By RAJA SIR DINKAR RAO:—There are several substances besides arsenic that taken once in small quantity prove fatal.

BARODA, }
2nd March 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XVII.—ABDULLA STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. INVERARITY:—My name is Abdulla Khan Walad Mahomed Khan. When Colonel Phayre came to Baroda from Pahlampur I came here after him. I have been many years in his service. I was so as a little boy. But he and his wife have gone sometimes to England. I have been fifteen or sixteen years in his service altogether. I was in November last first as second servant and as chobdar. In the month of Ramzan I was second servant. My master, Colonel Phayre, had sherbet got ready for him every morning. It was the second servant's business; when the second servant was sick, it was the butler's business to prepare it. I remember Monday the 9th November. That morning I prepared Colonel Phayre's sherbet in the dispense-room where it was always prepared. Having prepared it I took it and went into the dining room, and there I took a saucer, a plate, a plantain and two or three oranges. I thence at once proceeded to the Sahab's office-room. I placed the tumbler where it was always put on the washhand table. I remember that it was two or three minutes before half-past six in the morning that I did so. Two hamals were there,—one named Govind; the other is called Yellappa, I think. One was sweeping the room; the other cleaning the things. Having placed the tumbler, I took out clothes for my master and left the place. I did not re-enter the room before the return of Colonel Phayre. That morning I made the sherbet from pumalo. I put nothing in except the juice of the pumalo. I cut up the pumalo and separated the seed in a soup-plate. I strained out the juice through muslin. Before that I pressed the pumalo in the soup-plate with a spoon. The spoon was a silver spoon—a large table spoon.

CROSS-EXAMINATION BY SERJEANT BALLANTINE:—There was a verandah to the room where I placed the tumbler, which leads from inside as well as outside. The inner verandah used to be cleaned every day. I don't know if the outer one was. There are two ways of getting to the office—one from outside, one from the verandah. It is one verandah of which a portion is open. The inside verandah was cleaned daily. There is a passage partly open, partly shaded. I did not notice if the outside verandah was cleaned daily. It was the hamal's business to clean it.

RE-EXAMINATION BY MR. SCOBLE:—I did not notice any one cleaning the verandah on the morning of the 9th. Two hamals used to sleep there. I saw no one cleaning it that morning.

BARODA, }
2nd March 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XVIII.—GOVIND BALU STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. SCOBLE:—My name is Govind Balu. I am a hamal employed at the Residency. I entered the Residency service when Colonel Walker went on two years' leave, about five years ago. It was my duty to clean the Sahab's office.

I remember the morning of Monday the 9th November. I went on duty. That morning I was cleaning Colonel Phayre's private office. I went into that room before 7 o'clock. It was after the Sahab had gone out to walk. It was about half an hour or one-quarter of an hour after he went out as far as I remember. I remained in the room one quarter or half an hour or thereabouts. While I was in the room Abdulla was there. Lakhsman, sepoy, was outside cleaning the inkstand. First of all Yellappa went into the room. He cleaned it and then came out; he is another hamal. Abdulla was inside; he took out the Sahab's clothes. After Abdulla had taken out the Sahab's clothes and cleaned the boots he went out. Raoji, havildar, came after Abdulla went out. Raoji said to me, "Let the torn papers be removed from this basket to that basket." He meant the waste papers. There were torn papers in the basket where they used to be kept, close to the Sahab's writing table. He said, "Let the torn paper be removed from the basket to that basket." There were two baskets—one inside, the other outside. Raoji emptied the waste paper from one into the other. By outside I mean the anteroom. He brought inside the outside basket and emptied into the outside basket the contents of the inside basket. Raoji did not stay there long, only about five minutes. I know the washing table in the private office. I used to clean it and to provide fresh water for it. On it there is a *ghindee* (washhand bowl) and a *kuja* (goblet) for holding water. On the 9th November I supplied fresh water to the *ghindee* and the *kuja*. I got the fresh water from an earthen pot outside. The *histic* (water-carrier) has to fill that earthen pot. The earthen pot was for the use of the Sahab people. I did not see Abdulla bring in the sherbet that morning. It was seven o'clock when I went into the dining-room to clean it. I did not see the Sahab return.

BARODA, }
2nd March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

GOVIND RECALLED BY MR. SCOBLE:—The earthen pot is outside the dining room and near it. There is a wall between the pot and the dining-room. In front is the visiting room, and the dining-room is separated by a wall and door. To get to the back of the house you pass through the dining-room, at the back of which is a covered place where there was the earthen pot.

BARODA, }
2nd March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

NO. XIX.—YELLAPPA NARSU STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

BY MR. SCOBLE:—My name is Yellappa Narsu. I am a hamal at the Kothce. On the 9th November I was engaged with Govind Balu in cleaning the office room.

[No cross-examination is desired.]

BARODA, }
2nd March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

NO. XX.—LAKSHMON STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

BY MR. INVERARITY:—My name is Lakshmon Daryasingh. On Monday morning the 9th November I arranged Colonel Phayre's writing materials in his private office. After that I went and took my seat in the *deori* where the

sepoys sit. I don't know what happened then. I afterwards went thence to the Post Office with a letter given me by the Saheb. I went after 7. It was quarter past or half past seven. As I went with the letter, I did not meet anyone. As I started, I saw no one. I saw no one as I left the Residency. As I was coming back from the Post Office, I saw some body. I saw that Salam,—I mean the same as used to come to the Residency with the Maharaja. He was near a *nulla* near the Residency. He was riding a horse going towards the Residency. I did not see him before that time that morning. On my arrival at the Residency after my delivering the letter, he was at the Residency at a place where there are a number of English trees, about eight or nine paces from the house, close. He was standing there. It was more than a quarter of an hour I took going to and coming from the Post Office. Salim continued where he stood.

[Serjeant Ballantine has no questions.]

BARODA, }
2nd March 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXI.—JAMU MEEA STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. SCOBLE:—I am Kotwal of the Cantonment. I remember the 9th November. That day I got some information from one Nata Jaga, which I communicated to Dr. Seward. I that day heard a report in the camp of an attempt to poison Colonel Phayre. I first heard it about 2 o'clock. Dr. Seward mentioned it to me. I did not mention it to others. I told nobody at the time. Afterwards I spoke to Nata Jaga. I mentioned it to him about between 3 and 4 o'clock. This was after Dr. Seward mentioned it to me. First of all Dr. Seward told me of an attempt to poison Colonel Phayre. Then I spoke to Nata with a view to enquiry. I first told Nata, in making this enquiry, what Dr. Seward told me.

CROSS-EXAMINED BY SERJEANT BALLANTINE.—Nata then told me something when I told him what Dr. Seward told me. Next morning I saw Dr. Seward and told him what Nata told me. Dr. Seward told me to make enquiries. He said to me—"A man has given poison to Colonel Phayre. It is not known who gave it. Therefore, make enquiries as to who did it." That was all Dr. Seward said. He did not mention names. I am Kotwal.

BARODA, }
2nd March 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXII.—NATA JAGA STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. INVERARITY:—I am Nata Jaga. I am Mokadam of the bazaar and attend to conservancy. I remember Monday, the 9th November. I know Salam, Gackwaree Sowar. I saw him on 9th November about 8 o'clock in the morning. I was then causing some place to be cleaned near Kamatipura. I was on duty there. Salam was going to the bazaar on horseback, going fast, from the direction of the city bridge towards the Sudder Bazaar in the Camp. I know Raoji and Jaga, servants at the Residency. They live in the Sudder Bazaar. Salam went and returned shortly afterwards. I saw Salam come back about five minutes after he went. On his coming back, he went towards the city, still on horseback. He rode (*daurata*), not fast. When he returned from the Sudder Bazaar, I asked him—"Where did you go?" He spoke to me. I told Jamu Meea Kotwal what I had seen.

CROSS-EXAMINED BY SERJEANT BALLANTINE:—When Salam went back, he went more slowly than when he went first. Salam's name was not mentioned to me in connection with this matter.

BARODA,
2nd March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXIII.—MAHOMED ALI BAKSH STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. INVERARITY:—My name is Mahomed Ali Baksh. I am a peon at the Residency. I remember Monday, the 9th November. I know Salam, a Gaekwaree sowar. I saw him the morning of that day at the Residency. I saw him first at half-past six or seven o'clock. This was before Colonel Phayre returned from his morning walk. At first I did not speak to him. He was sitting there. I was sitting on a box. He was standing with his horse's bridle in his hand. The box was in a place called the *deori*. On entering the house by the steps, the *deori* is on the left hand. I remember seeing Mr. Boevey return that morning. I did not see Salam at that time. I remember taking a note that morning to Dr. Seward. As I was taking that letter, I had some conversation with Salam. He took out and gave me a rupee. He said—"As you are going with the letter to the bazaar, if you can get any biscuits for me, pray bring some." First I delivered the letter to the Saheb, and then I went. I could not find any biscuits. When I came back to the Residency, I did not see whether Salam was there or not. He has never asked for the rupee back or the biscuits. Afterwards I was prevented from speaking. This was on the second or third day after. The Saheb ordered me not to speak to anybody. I remember meeting Dr. Seward on my way to the Residency. I salaamed to him. The Saheb asked me—"What have you brought?" I spoke to him.

CROSS-EXAMINED BY MR. BRANSON:—Mr. Boevey took my deposition (*zabani*.) Colonel Phayre was sitting separate. I did not sign my statement in his presence. I said to Salam from a distance, when I returned from the bazaar, that the biscuits were not ready. I saw Salam as I returned from the Doctor's bungalow and passed by the school. It was $7\frac{1}{2}$ or a quarter to 8 at the time. I saw Salam again. He came to the bungalow.

RE-EXAMINATION BY MR. SCOBLE:—When I saw Salam near the school, he was going to the city on horseback. It was 9 or past 9 when I saw Salam at the Residency afterwards. At that time I had no talk with him.

BARODA,
2nd March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

MAHOMED RE-CALLED BY RAJA SIR DINKUR RAO:—Salam used to come to the Residency on Mondays and Thursdays. The 9th was the day following the Divali (or second day, (*dusri-din-ki-Divali*)). It was a Monday.

BARODA,
2nd March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXIV.—RAOJI STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. SCOBLE:—My name is Raoji Rama. I was a Havildar of Peons at Paroda Residency, and had been so for one year or $1\frac{1}{2}$ year. Colonel Phayre

appointed me. I lived in the Sudder Bazaar in the Camp. None other of the Residency servants lived with or near me. I know Salam, a sowar of the Gaekwar's. I knew him since he commenced to come to our bungalow, i.e., the Residency. Salam did make a proposition to me. This was two months before the sitting of the Commission,—I mean the Commission about complaints of ryots, about one year and a quarter ago. Salam made a proposition to me two months before that. Salam said—"The Maharaja has sent for you." He also said—"He wants you; he wants to have some conversation with you." I said to him—"I can't come just now;" and he was after me very much. He said the same thing to me five or six times. I agreed to go. I said "I will go." I did go on a Sunday. I don't remember the month. It was two months before the time the Commission commenced. On that Sunday I left the camp, my house in the camp, about seven o'clock in the evening. First I went to the house of Eshwant Rao, a *jasud* of the Maharaja. He used to come with the Maharaja to the Residency. Eshwant Rao's house is near the new bazaar, in the city. I found Salam Sowar sitting at Eshwant Rao's house. Eshwant Rao was also there. From Eshwant Rao's house I was taken to the Maharaja's Haveli by Salam Sowar and Eshwant Rao,—I mean the Haveli where the Maharaja lives in the city. I went by a way in the rear through the Nazer Bagh. There is a flight of steps leading to it. The entrance was in the rear by the Chimman Bagh called Nazer Bagh. I was taken upstairs. Salam Sowar and Eshwant Rao, these two, took me upstairs. I sat down upstairs in a room. Salam Sowar sat by me, and Eshwant Rao went inside to report to the Maharaja. Eshwant Rao brought the Maharaja. I knew the Maharaj by sight. I recognized the Maharaj very well when he came in with Eshwant Rao. I made salaams to the Maharaj and sat down. Then the Maharaj began saying—"If you can get any news from the bungalow, let me know it." I said, "Very well." The Maharaja said—"I will give you many rewards and presents. I will gratify and please you. Do you continue to give me news and information on that side." I said, "Very well." Then the Maharaja asked—"Are you on friendly terms with the Jemadar?" He said Narsu Jemadar, the Residency Jemadar. I said "Yes." The Maharaja said—"You should bring him to me." I said, "Very well." He enquired about matters relating to here and there (unimportant matters). I took my leave. Salam Sowar and Eshwant Rao came too; they went to their houses, and I to the camp. I went to Narsu Jemadar and told him about it the following morning when I went to my duty. The Jemadar said—"At present I have no time to go." Before the Commission sat, I went three or four times to see the Maharaj. All those times were before the Commission sat. When I went from the camp, I went alone and afterwards met Salam Sowar and Eshwant Rao, who went with me to the Maharaj. I used to meet them at Eshwant Rao's house. I used to go alone to that house, and then with them to the Maharaj. I used to inform the Maharaj about the people who used to come to the Residency and mention their names. I went to see the Maharaj while the Commission was sitting. I went three times during that period. On those occasions I used to go alone to Eshwant Rao's house, and thence with Eshwant Rao and Salam. On each of those three occasions I saw the Maharaj at the same Haveli. I spoke to the Maharaj on those occasions. I used to tell him about what occurred at the Resident's bungalow. Complainants used to come there, and people used to appear before the Commission. I used to hear what they said and to repeat it to the Maharaja. I had spoken to the Maharaj about my intended marriage, and he paid me about 100 Rupees for expenses of that marriage. I spoke to the Maharaj about it during the sitting of the Commission. He called Eshwant Rao and he said, "You must remind me of it." Eshwant Rao was beside him. The money was not then paid. Eshwant Rao came to the bungalow (Residency), and spoke to me. This was when he accompanied the Maharaj. My visit was on Friday, and Eshwant Rao spoke to me on Monday. Monday was the usual day for the Maharaj's visit. Eshwant Rao said—"I have brought and kept Rupees 500 for you; you should come and fetch the money." I did go to fetch it. I remember it was the

evening of the day he so spoke. I went to Eshwant Rao's house. With me I took Jaga, a punkawala employed at the bungalow. At Eshwant Rao's house I met Eshwant Rao; he gave me the money by the hands of his karkoon—500 Rupees. At that time his karkoon and Jaga were present and nobody else that I saw. Eshwant Rao was then upstairs in his house. The karkoon's name is Dalpat. I spent that money on my marriage. Rupees 400 I so spent and deposited 100 Rupees with Jaga, with instructions that I would draw it from time to time as I required it. I bought some clothes and made some ornaments. Dajibhai Karia got the ornaments made for me. My marriage took place while the Commission was sitting. I remember not the month. I remember meeting Salam after the Commission left Baroda—two or three days after they left. Salam said—"I have had a talk with the Jemadar. I have brought him over." I afterwards asked the Jemadar. Salam also said,—"I have spoken to him; promise to come; come with him to the Maharaja's." I said—"Very well, I will ask him." I did speak to the Jemadar about this—the evening of the day of the talk with Salim. The Jemadar said to me—"I will go with you on Sunday." I don't remember the month, nor the Musalman nor the Hindu calendar month. This was eight, nine or ten days after the sittings of the Commission. When the Sunday came, the Jemadar had, as previously arranged, gone to Eshwant Rao, and I found him there. In fact, I found the Jemadar there on the Sunday night. For the most part, as far as I remember, Jaga was with me or Karbhai. Karbhai lives in the camp; he was punka-puller at the Residency, and is now unemployed. I don't know his father's name; he is not the same as Karbhai gari-driver. As far as I remember, either Jaga or Karbhai accompanied me. At Eshwant Rao's house I found Eshwant Rao, Salam Sowar, and the Jemadar. I went thence to the Maharaja's Haveli, and I went through a lane in direction of the Nazer Bagh, and Eshwant Rao went in by an entrance where a sentry was, on the public street. With me went Salam, the Jemadar, and the man who was with me into the Palace: the man who went with me did not go upstairs, but sat below. We all went up the first flight of steps—I, the Jemadar, Salam, and either Jaga or Karbhai. We were made to sit there by those persons. Only Salam went further upstairs. Afterwards Salam and Eshwant Rao and the Maharaja came there, and Salam came down and called us up. I and Narsu Jemadar went up; Jaga or Karbhai stayed sitting below. Then I and the Jemadar went upstairs. We went to a bench on which the Maharaja was in the habit of sitting, and where there was a bath-room. When I got there, those present were, I Salam, Eshwant Rao, the Jemadar, and the Maharaja. I and the Jemadar had conversation with the Maharaja. I don't remember that conversation. Eventually the Maharaja said to the Jemadar—"You should report the news from the bungalow. As you are living in Baroda, you should bring the news every day." The Jemadar said, "Very well." The Maharaja said to the Jemadar—"You should notice what Sirdars come to the Residency, as you are a servant of long standing, and you know the Sirdars." The Jemadar said—"I will give the news, and Raoji will do so also, and it will be communicated through Salam." The Maharaj said—"Very well—send the news, and if it is very important you should write it and send it to Salam. You should bring it from the bungalow." The communications were to be given to Salam, when the Jemadar left the camp to go to his house. The Jemadar lived in the city. The Jemadar said to the Maharaj—"My brother's pension has been stopped; please make arrangement about that." The Maharaj said—"I cannot make any arrangement about that; you must petition the Saheb; and if the Saheb speaks to me I will at once make arrangement." The Jemadar's brother was in the Maharaja's service. There were two brothers,—one a Commander, the other Jemadar in the Rasala. That was all the conversation. Then we left and came away. After this visit and before the Maharaj went to Nowsari, I visited the Maharaj four or five times about the time of his going to Nowsari. I and the Jemadar both did so. On those occasions I saw the Maharaj and conversed with him; and I and the Jemadar gave the Maharaj information of what was going on at the Residency. I went to Nowsari with Colonel Phayre. Narsu Jemadar also went. So did we all.

I and the Jemadar attended Colonel Phayre all the time he was at Nowsari. The Maharaja also came to Nowsari. I saw Salam for the most part at Nowsari. Eshwant Rao himself I did not see. His son lived in our bungalow there,—I mean in a routie or tent in the compound. Colonel Phayre's servants lived in the bungalow, and we sepoys had a tent or routie. It was in the routie Eshwant Rao's son lived. Salam lived in the routie in our compound. At Nowsari I went to the Maharaj once. I was introduced to his presence by Salam. On that occasion I had some talk. The Maharaja enquired about Bhau Poonekar and others, who used to come to the Resident's bungalow, and as to what conversation they had. I know by name one Damodhar Trimbuk or Damodhar Punt. I know him by sight. He was at Nowsari with the Maharaja. After returning from Nowsari to Baroda, I did not continue for the most part my visits to the Maharaja. I forgot (*bhulgaya*). After my return from Nowsari I went thrice with Pedro, the butler. I went with the Jemadar also. Altogether I think I went to the Maharaja 20 or 25 times. After my return from Nowsari, I went three times with Pedro and four times with the Jemadar. I never went with them both together. I and Pedro and Salam Sowar went. After I came from Nowsari, Pedro said to me—"Will you go with me?" I asked—"Where to?" He answered—"Salam Sowar has told me we should go to the Maharaja's." I said—"I will go with you when you want me to go." I did go with Pedro. I left the camp and waited at the bridge while Salam Sowar was bringing a gari from the city. Salam brought one and halted it, and went to the bungalow (Residency) to call Pedro. I mean the bridge near the school on the high road to the city at the corner of the maidan. Pedro came. Pedro, I and Salam went to the city. This was at night, after ten o'clock. We went to the Maharaja's Haveli, where we met Eshwant Rao Jasood. Pedro and I met the Maharaja. On the first time Pedro and I went, the Maharaja asked—"When your Saheb sits at the table; does he make any allusion to me?" Then Pedro said to the Maharaj—"The Saheb says what is good for you." Pedro said—"It would be good for you if you live on amicable terms with the Saheb." The Maharaj said—"I behave well, but the Saheb gets angry." Pedro added—"The junior Madam Saheb is very kind to you (*mehrbani*). If you behave well, the Saheb will also be very kind to you." The junior Madam was Mrs. Boevey, Colonel Phayre's daughter, who lived in the Residency. No other conversation occurred. The Maharaj said—"You should send news through Salam," because Salim used to go to the butler's house. I remember the butler went to Goa on a month's leave. This visit was after my return from Nowsari. It was before the butler went to Goa. Before the butler went to Goa, I went with the butler three times to visit the Maharaja. After his return from Goa, I once visited the Maharaja with him. So I went four times altogether with him. The visit after the butler's return from Goa was as follows:—The butler had some talk with the Maharaj. I heard it. The Maharaj said—"When did you come back from Goa?" He answered "two or three days ago." The Maharaj said—"Will you do something if I give you something." The butler said—"If it is possible for me to do it, I will do it." Then the Maharaj called Eshwant Rao, who was present. Eshwant Rao had a packet in his hand which he gave into the Maharaja's hands, which the Maharaj put into the hands of Pedro. Pedro said—"What is it? (*kya chiz hai*)." The Maharaj said—"It is poison" (*zahir*). Pedro said—"What shall I do with it?" The Maharaj said—"Give it in some food to the Saheb." Then Pedro said—"If the Saheb dies all of a sudden, I shall be taken up and ruined." Then the Maharaj said—"Nothing will happen all of a sudden; the Saheb will die in two or three months" (*mar-juenge*.) The Maharaj added—"Nothing will happen suddenly to the Saheb. Don't you be alarmed." After this conversation, I left for the camp with Pedro, who went to the bungalow. I believe Pedro kept the packet in his possession. I went home. I know that Pedro got some money from the Maharaj. Pedro told me that Salam Sowar had paid him some money,—how much I know not. Pedro told me this at the time of his going to Goa.

BARODA,
2nd March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

ROAJI'S EXAMINATION CONTINUED BY MR. SCOBLE:—After my return from Newsari I went to the Maharaja with Jemadar Narsu. This was about two or three days after my return to Baroda from Newsari. A punkawala, named Karbhai, went with me. After my return from Newsari I received Rupees 300, about fifteen days after my return. Narsu Jemadar paid me those 300 Rupees. After I received those 300 Rupees I went again to see the Maharaja. My next visit was about four months after receiving the 300 Rupees. I guess it was four or five months. Narsu Jemadar went with me then. On this occasion I went from here at seven o'clock, I mean from the Camp Bazaar. I went first to Eshwant Rao's house. Salam Sowar was at Eshwant Rao's house. Narsu Jemadar also was sitting there and also Eshwant Rao. From Eshwant Rao's house, I went to the Maharaja's Haveli. I entered by the way of the Nazerbagh side. On that occasion I saw the Maharaja in his bath-room, where he was seated. It was upstairs. When I went to the Maharaja, I and Narsu Jemadar sat down, and Eshwant Rao and Salam were standing near the Maharaja. Then the Maharaja said to us, "The Saheb practises, great ('*zūlm*') oppression on me. I will tell you something: will you listen to it?" Then I and the Jemadar said, "We will listen." Then the Maharaja said, "What is the Saheb in the habit of eating." I then said, "He does not eat anything in my presence, but he drinks juice (*ras*) sherbet." Then the Maharaja said to us, "If I give you something, will you put it in?" (*dālna*)." Then we said, "What will be the effect of it." (*Kya hoega*). Narsu it was who said this. Then the Maharaja said to us, "I will send a packet by the hands of Salam Sowar." I thereupon asked the Maharaja, "What will be the effect of it?" (THE INTERPRETER MR. NOUROJEE SAYS THE WORD INTERPRETED AS PACKET MAY ALSO MEAN POWDER "*puri*."") When I asked, "What substance is it?" (or rather "thing".) Then the Maharaja said, "It is poison" (*zakar*). I then said to the Maharaja, "If I put it in, and if anything happens to the Saheb all of a sudden, what then?" The Maharaja said, "It will not produce any immediate effect, but will produce an effect in the course of two or three months." Then the Maharaja said to us, "I will give you a present of a lac each, if you will do this thing, and I will employ you (*asāmi*) or give you service, and I will protect your children and family. Do not entertain any apprehensions." I myself asked the Maharaja, "In what manner shall I put this in?" Then the Maharaja said, "Take a small bottle, put some water and the powder in it, shake it well, and put that in." Then I asked the Maharaja, "If I put the powder thus, what will be the effect?" The Maharaja said, "If without shaking it you put it in the juice, it will come to the top, therefore you should shake it before putting it in." Then Salam Sowar and Eshwant Rao both said, "It will be good for you if you do this job: do not have any apprehensions." The Maharaja said, "Make three powders of this and finish them in three days." At that time no powder was shown me. Nothing was shown me then. The Maharaja said, "I will send it to the Jemadar's house by the hands of Salam or Eshwant Rao." I said, "Very well." Nothing more occurred. After the Maharaja said this, we left. I cannot mention the day of this conversation. I don't remember the day of the week or month it occurred, nor what season it was. I do not remember the 9th November. I do remember the day Colonel Phayre found out the attempt to poison him. The above conversation occurred about 15 or 20 days before that event. After that interview with the Maharaja, the Jemadar brought a packet and gave it to me. The above-described interview with the Maharaja took place at seven o'clock of the evening. The Jemadar brought me the packet the day following the interview with the Maharaja, so far as I remember. I opened that packet. There were two powders in it,—one white and the other rose-colour. There was that much (SHEWS ABOUT A PINCH), I cannot remember.

I don't think quite as much as a tea-spoonful. I did not weigh it, nor estimate its weight. (WITNESS SHEWS WITH THE SAND OF A SAND BOX USED FOR DRYING INK AND SAYS) The whitish powder was more in quantity than the other. Narsu said something to me. I divided the two powders into three portions, taking more of the rosy powder than of the white. I used only a little of the white powder. Some of the white powder was left. A good deal remained.

I took a pinch of it. I don't remember if half the white powder remained. I used up all the rose-coloured powder. I kept them in the pocket of my *putta* or belt after making them up. I put in one side of my belt the remainder of the white powder, in the lower part of my belt, in the same pocket of the belt with the three powders, but in a separate division; with the three packets obtained by mixing the white and red powders, I threw them into the Saheb's sherbet, at different times. I don't remember the different days. It was on alternate days, putting in one, then leaving a day. I put one powder (*bhuki*) into a bottle. I left the other two. I put them in (*dālā*) another day. After putting it into a bottle, I put some water in, and shook it and threw the contents into the glass containing the Saheb's sherbet. By Saheb I mean Colonel Phayre. By glass of sherbet I mean that daily placed in his office for Colonel Phayre. I did the same with each of the three powders (*bhuki*). The Maharaja gave me the bottle. He gave it to me about the time the Saheb had a boil on his head. The bottle contained some white liquid like water. When the Maharaja gave me this bottle, I was at the Maharaja's Haveli. Narsu Jemadar was with me on that occasion. The Maharaja spoke. I asked him, "What does this bottle contain?" He said, "It contains something which you should throw into the Saheb's bathing tub or *ghindi*." I brought the bottle with me. I tucked it up in my drawers under the string, and it produced a wound on my skin. It caused a boil, a thing like a boil, what a man gets when burnt. It swelled. The place was in my belly (WITNESS SKEWS THAT IT WAS NEAR THE NAVEL.) As it produced a boil on me, I thought it would much injure the Saheb: so I threw it away. I mean I threw away the medicine (*dawa*) contained in the bottle. When given to me, the mouth of the bottle was stopped with cotton, and that was covered over with bees-wax. The bottle was given me before I got the powders—about a month or one month and a quarter before. I brought the bottle to the Residency. Narsu Jemadar asked me, "Did you put it in?" I answered him that I had put it in. Then I afterwards said to Narsu Jemadar, "Look here. I have been burnt here," pointing to my belly. I afterwards kept the bottle in the bungalow underneath a box belonging to the Saheb kept near a form where we and the Jemadar used to sit near the Saheb's office. This box was near the form where I used to sit. After putting the three mingled powders into the sherbet, I went to see the Maharaja again. It was about eight days after. The Maharaja used to come to the Residency to see the Saheb; perhaps he thought nothing happened to the Saheb. The Maharaja sent me a message through Salam. I and Narsu Jemadar both went to the Maharaja by night. As far as I remember, nobody else went with me. I first went to Eshwant Rao's house. There the Jemadar was, and Salam Sowar was sitting. The Jemadar Narsu was there when I got there. So also was Eshwant Rao. I went thence to the Maharaja's Haveli—with Eshwant Rao, the Jemadar, and Salam Sowar. I saw the Maharaja at the Haveli—in the Maharaja's bath-room—the same place where I had seen him before. The Maharaja gave me coarse abuse, and said, "You did not do anything." I said, "Maharaja, I did it, but I can't account for its not happening." Then the Maharaja said, "I will give you another thing* which you should put in (*dālā*)." I said, "Very well." When I began to go, Salam extended his hand. He gave something to the Jemadar; what it was I don't know. He said nothing in so doing. No other person said anything. I heard nothing. Then I and the Jemadar went away thence. Next day, when the Jemadar came from his house, he gave me a packet. I opened and looked at it. Inside there was a dark-coloured (*kala*) substance. The colour was not so dark as the Interpreter's coat (black alpaca). It was like that hat (grey felt helmet.) I kept the powder by me one day. I went on a Friday, and the Jemadar brought it to me on Saturday. On the Sunday I did not go to duty. I went to duty on the Monday. I refer to the Monday of the report about the poisoning. On the Monday I put it in (*dālā*).

Q.—In where? A.—In the Saheb's sherbet. I mean the packet sent by the Maharaja through the Jemadar, and which the Jemadar gave me on the last occasion. I put the poison in a bottle, shook it,

and put it into a glass. The bottle was the one given to me by the Maharaja. I put nothing else into the bottle except the powder. I put some water in and shook it. Nobody was in the room when I put it into the Saheb's glass. I put it into the Saheb's glass at half-past six o'clock, when I went to my duty. It was about twenty minutes before Colonel Phayre returned. I had no watch. I saw Colonel Phayre return. I remember Colonel Phayre writing a note. He gave it into the Jemadar's hands who gave it to me. I gave it to a puttewala. I don't remember what puttewala. I told the puttewala. "Take it to the Doctor Saheb." When I gave it to the puttewala, Salam Sowar was present. It was about seven o'clock when I first saw Salam Sowar that morning. First Salam Sowar asked me, "Did you do that job or not?" I said, "I did it." Afterwards I said, "A note has this day been written and sent to the Doctor Saheb, and I think you will be disgraced." Salam said nothing to me. On saying this to him, I left him. I told him about the note to the Doctor Saheb at the same time as I told him about my having given the poison. I remember the Doctor coming. I and the Jemadar were standing there when the Doctor came. I remained on duty all that morning at the Residency. I was not put in arrest that day. I was suspended. I was told to take off my belt and place it there and go home. I did take off my belt. I put it in the Saheb's office. My belt was never given me back. On that day, Monday, I was examined a little by Colonel Phayre and in Mr. Boevey's presence. I was placed in arrest the next morning at seven o'clock. I remained there through the night: the next day, at five o'clock in the evening, I was released by the Saheb. I was not allowed to return to my duty. Besides the Rs. 500 paid on my marriage and Rs. 300 through the Jemadar, I received no other money. How could I know what the Maharaja gave to the Jemadar? Out of the money I received, I had some ornaments made. These are the ornaments I caused to be made.

Silver anklets, gold armlets, rings produced.

I paid for these ornaments about 500 or 550 Rupees. I did make communications in writing of news through Salam. I once or twice caused Jaga to write for me. I know Jaga's handwriting. I can read a little Gujarathi. I can write a little, but not well.

Paper shown.

The writing shewn me is Jaga's writing. I don't think I could read this, as I can't read much. I never employed any writer but Jaga. I wrote myself on two or three occasions. After getting the letters written I gave them to the Jemadar. The Jemadar also took those which I myself wrote. I did make a statement to Mr. Souter which was taken down. The first day of my doing so was Tuesday the 22nd. I don't know the month.

MR. SCOBLE SAYS IT MAY BE TAKEN AS THE 22ND DECEMBER. THIS IS AGREED.

The Saheb, Mr. Souter, took down the statement: but not on the 22nd, but on a later day. Early in the morning Mr. Souter sent for me: in the morning I said nothing to him: he questioned me till 8 or 9 o'clock, but I did not acknowledge anything correctly. I was then brought into the Residency. I saw Mr. Souter at Mr. Barton's bungalow. I was desired to sit down in the Residency garden. I sat there till 5 or 6 o'clock. Karim and Faizu were there. We began to discuss amongst ourselves. Then Faizu and Karim said regarding themselves and the Ayah, "We have told the truth, you had better tell the truth and be saved." They said, "We have stated that we have been there. you had better tell the truth and be saved." Thereupon I sent for Mr. Souter's havildar who was near there. I would identify him if I saw him. This

A Policeman calling himself Mir Isam Ali is called.

is the man. I said to him, "Take me to the senior Khan Saheb." That is Akbar Ali. I then went to the senior Khan Saheb. I said to him, "I will tell you the truth regarding the poison." I said to him, "If you save my life and get a promise given me by the Saheb, I will tell the truth." I got a promise of pardon (*muafi*) if I made a full statement; and on that promise I made my statement to Mr. Souter. From that day at 6 A. M. till now, I have had no communication with Narsu Jemadar except on the day Narsu was taken up; the Khan Saheb said to me, "Tell before Narsu the truth that you have told." What he said was, "Tell

before these people the truth you have told." The Rao Sahab and the junior Khan Sahab were present. I was then taken to near the Jemadar and I said to the Jemadar, "I have told that what was to be told even up to my neck." I said no more to him. I was then taken away to the police guardroom. This belt

A belt is shown.

is the one I used to wear. In this pocket I put the powder; the other powder I put here (shows ANOTHER PLACE. MR. SCOBLE POINTS OUT THAT THE FIRST IS AT THE LOWER FOLD OF THE BELT, AND THE SECOND AT THE SIDE.) I was present when something was found in the belt. At that time Rao Sahab and Akbar Ali were present, and the junior Khan Bahadur also. Something was then found in my belt, namely, one powder. First Khan Sahab asked me, "Where used you to put it?" I said, "I used to put it in the pocket of my belt." He then asked, "Where is your belt?" I said, "It is in the possession of Budhar Puttewala (possession=*ke-pas*)."
Chand, a sepoy of Mr. Souter, went and brought Budhar Puttewala. When Budhar came, the belt was round Budhar's neck. He was wearing it. The Khan Sahab took it off his person, and then they began to search. Khan Sahab, Rao Sahab and Khan Sahab junior began to search. A thick finger was introduced into the belt. It was Khan Sahab's finger, (WITNESS SHEWS THE PLACES IN THE BELT). He found something hard here, and then he remarked, "There is something there." Then he left it as it was and sent for Mr. Souter, who was in a room opposite. Khan Sahab then opened the bottom of the belt. The Sahab then took out the packet and examined it. It was wrapped in a piece of white paper. Inside it was a poison. A white powder (WITNESS USED THE ENGLISH WORD "POWDER.") I recognised the white packet on its being taken out. The Sahab asked me if I could, I said, "I could recognise it." I said, "This is the packet left me by oversight (*bhul men rah gaya*)."
After this enquiry, the Sahab took some of my statement (*zabani*) and I left. I don't remember the day of the packet being taken from my belt. It was about two days after I gave my deposition. There was one day between the day it was found, and the day of my first statement.

CROSS-EXAMINED BY SERJEANT BALLANTINE:—I had been 1½ year in Colonel Phayre's employ. He was very kind to me. I consented to poison because the Maharaja offered me money, I am a poor man, he offered me a lack of rupees. For this I consented. I did not intend to murder him. The Maharaja so intended. I meant to do it, being poor, because I was instigated. I consented to murder a kind master for money, being instigated. I never got my lac of rupees. I never applied to the Maharaja for it. After the attempt failed, I was examined by Colonel Phayre, after which I was for a month at liberty. I made no application during that time to the Maharaja. I got no message from him, nor did I see him. I did not go to him. How could I? I used to go, but not after I stayed at home. I did not apply to him because the affair was not successful. I did not go. How could I go and ask for money. After the failure I had no conversation with Narsu. I did not leave my house. I knew Bhau Poonekar. He used to go to the bungalow to see the Sahab. I don't know what he came for. I sometimes heard what he came for and used to tell it. I know nothing about a *kharita* from the Maharaja to the Governor General. I don't recollect. I did not hear of it from Bhau Poonekar. I got the boil from the medicine (*dawa*) inside the bottle. The medicine dropped through the cotton stopper. It gave me a boil (*phor*). I threw it away. It was given me to hurt Colonel Phayre; I did not use it. It hurt me; so I threw it away. I feared I might be arrested at once. I did not put it in water. Because I was injured, I thought my Sahab would be injured. I told Narsu I had used it. That was a lie. Every day a sowar used to come from the Maharaja to enquire if it was administered or not. I told the lie, because they were after me. Mr. Souter was never after me; all that I told him was truth. Had I told Colonel Phayre the truth, how would he have believed it, the story of one person? Therefore I did not tell the truth. He would not believe me, and I did not do it with a view to tell it. I told Mr. Souter the truth correctly. [THE WITNESS'S ATTENTION IS CALLED TO

THE MATTER OF THE TWO PAPERS OF POWDERS GIVEN WHEN HE AND NARSU WERE PROMISED A LAKH OF RUPEES EACH.) The two powders were brought and given me by Narsu Jemadar. He told me to divide them into three parts and give them on three days. I made three packets and kept them in my pocket. From each powder I took a little, because I had doubts that the white powder was more injurious. I doubted how the white powder was to be used, (MR. SERJEANT BALLANTINE READS FROM STATEMENT MADE TO MR. SOUTER.) This is what I told Mr. Souter; this is true.

Q.—Who gave you the last packet you had? A.—The Jemadar. It was rather of a dark colour, like that hat (grey felt *J. J.*), not like the white colour first given me. It was a little darker than that hat. I don't remember exactly. I put the whole in. I first put it in a bottle, mixed it with water, and then poured the whole of it in (WITNESS SHOWS WITH INK-STAND WHAT THE QUANTITY WAS). It was a little less dark than this. I saw Dr. Seward the morning I tried to kill my master, I was at the bungalow. I hear that Salam is in imprisonment. I have been in imprisonment several days. Pedro went with me to the Haveli three times after his return from Nowdari and once after his return from Goa. He knew about the attempt to poison. I heard the Maharaja tell him. A packet was given into his hand in my presence. I heard the Maharaja say it was poison. This was after Pedro's return from Goa and at his last visit. I don't recollect the date thereof. First the powder was given him and I was called two days after. The Jemadar first brought me two powders and afterwards one powder. Pedro received one two days before I received the last powder. After Pedro received one, I received one two days after. I don't know what Pedro did with his powder. We were all engaged in the same attempt. Why should I ask Pedro? He should know his business. The Maharaja was in haste, so he gave to Pedro and me so as to make haste. I know because Salam and Eshwantrao were after me. That's how I know. I was told that it would not take effect for two or three months. I never asked Pedro what became of his paper. I first accused Pedro before Mr. Souter—not before. I did not mention his name before Colonel Phayre. I was afraid. If anybody does anything, does he do it for telling it? I quite forgot about the powder in my belt. I administered three powders; there were four altogether—one was left. The Jemadar gave me two powders. I made the rose powder into three portions, put some of the white powder into each, and one powder remained. This was what I was told to do—to give it three times and make three portions. I thought the white powder was arsenic, and if it was given to the Saheb, something would happen soon. For that reason, by mistake (*bhul-men*), it remained. I kept it in the pocket and forgot if it was there or not. I made three packets, but took a little from the other. I was afraid something might happen to the Saheb of a sudden. I put in all the dark powder at once—it was little. Those people kept saying, "Do it quick, do it quick." I did not know it would take effect at once. Nobody knew I had any poison left. I told nobody. My accomplices thought the whole was used. The Police first asked me where I kept my belt. I had not told them I kept the powder in it, nor did I remember. If I did, I would have taken it out and thrown it away. I was asked if I recognised my powder, and I said I did. Akbar Ali asked where I used to keep my powders. I said, "In the pocket of my belt." He asked where it was. I said, "With Budhar." The Resident had given it to him. When the police came, I was called for enquiry to the bungalow. The belt was given to Budhar in my presence. It was several days before the police found the packet in the belt. I don't remember how many days. I had no recollection about the powders. Before Colonel Phayre I did say to save my life that I suspected Faizu. Those people were also going to the Durbar. When asked whom I suspected, I said, "Faizu and all other people go from the town there." Because they were living in the town, I said this. I did not accuse them. I said, "Faizu lives in the city, and there is suspicion against him." I said, "I suspect Faizu." I had done it. Many persons were mentioning Faizu's name. I said, "As

Faizu lives in the city and goes to the palace, I suspect him." I suspected that powder might have been given him in the same way as to me and Pedro. This was why I accused him. After Colonel Phayre released me I lived at home. I had applied for a putta (belt). The Saheb did not give me re-employment. He said "When the Sahebs come and enquire, you will be reinstated." I don't know if Bhau Poonekar interfered on my behalf. I did not ask him to do so. I did not talk on this matter to him. He used to go to the bungalow and used to see me. At the time the Saheb was about to leave this he was at the bungalow and I saw him (Bhau Poonekar). This was after my attempt at poisoning. I did not talk with him on this subject. I don't recollect. I did not converse with Bhau Poonekar about the Maharaja; nor did I do so or he do so about the Maharaja after the attempt. Bhau Poonekar did not ask me if the Maharaja knew about it. I never mentioned the Maharaja to him. I did not see him before I was examined by Mr. Souter. I did not see him at that examination, nor about that time. I consented to poison my master, being a poor man, and having a lakh of rupees offered. That lakh was my inducement—too much for a poor man. During the month I was at liberty I did not ask the Maharaja. I did not leave my house or go anywhere. I put poison into the Saheb's sherbet on the Monday when the report got abroad. I used all the last packet at once. The Jemadar brought me the packet on the Saturday. Since my examination by Mr. Souter I have not been to the palace. I have been in confinement from that day. The Maharaja spoke to me about poison. I knew him two months before that. I had been called. I was called two months before the Commission came.

RE-EXAMINATION BY MR. SCOBLE:—That was for asking about news (*khabar batmi*),—I mean I was to tell him whatever I should hear at the bungalow. Poison was first mentioned after the return from Nowsari, about five months. After the 9th when I put in poison I was suspended and remained at my place. After my suspension neither Salam nor Eshwant Rao came to my place. I had gone to the palace alone before the Commission came. Salam or Eshwant Rao was always with me when I was taken to the palace. After my suspension and when in my house I don't remember if any watch was placed over me by the Sirkar. I have a mark on my stomach left by my boil.

ON THE APPLICATION OF MR. SCOBLE, THE WITNESS GOES INTO A ROOM IN THE COURT-HOUSE TO HAVE THE MARKS ON HIS BELLY EXAMINED BY DR. GRAY.

BARODA, }
3rd March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

NO. XXV.—DR. GRAY RECALLED.

EXAMINED BY MR. SCOBLE:—I have examined the last witness (Raoji). There were three marks on the belly about one inch and a half above the navel. That is near the place where the string of his drawers was tied. They might be caused by the application of caustic or hot iron. They are not such marks as a boil would be likely to leave. They are what a blister or a burning substance would be likely to leave.

CROSS-EXAMINATION BY SERJEANT BALLANTINE:—I have been in Court and heard the witness' story. White arsenic might cause them—arsenic in contact with the skin. A man would feel the irritation within an hour. It is my opinion that the marks might be caused as described by the witness in his evidence. This is after taking into consideration that he described it as a swelling something like a boil. I think the marks could have been caused by arsenic on an unbroken substance. I should say arsenic is not the cause of a boil. If I had heard nothing, I should have said that the marks were caused by caustic or hot-iron. Natives use cautery on the most trivial occasions.

RE-EXAMINED BY MR. SCOBLE:—Arsenic is a caustic. Arsenic suspended in water or other liquid and oozing through a bottle would be capable of producing such marks.

BY SERJEANT BALLANTINE:—I remember the bees-wax and cotton in saying this.

BY SIR R. MEADE:—A boil would not leave such a mark. If caustic were applied to such a boil, it would depend on the age of the boil.

BARODA, }
3rd March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXVI.—RAOJI RECALLED.

BY THE PRESIDENT:—After using the bottle on the Monday morning I hid it in the verandah where the carriages stand near the wall. The Police came and searched for it. I pointed out the place, but it was not found. Nobody knew of my putting it there. The bottle was as long as my fore-finger.

BARODA, }
3rd March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXVII.—NARSU STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

BY MR. SCOBLE:—My name is Narsu Rajana. I was Jemadar of peons at the Residency, and had been employed there I guess 30, 32, or 34 years. I have been Jemadar 17 or 18 years. My pay was Rupees 14 per month as Jemadar. Raoji Havildar got Rupees 10 a month. I lived in the city. I usually came to work at 7½ or 8 o'clock in the morning. In the evening I went home at 7 or 8 o'clock, or if Cutcherry was over at 6½ P.M. I remember the Commission sitting at Baroda. Raoji said something to me, viz., "Eshwant Rao and Salam say you should go to the Maharaja's." I said "I cannot go just now as there is sickness in my house, and I am deeply engaged in my service." The suggestion of going to the Maharaja's was again made to me after the Commission was over by Raoji and Salam. I knew Salam since, not before, he began to come to the Residency. He began to come. After Khunderao's death I was in the service of Jumna Bai; and after my return to the Residency Salam used to come—in the time of Colonel Barr. Jumna Bai was at the Residency. I was deputed to serve her when she was there, and also for two months more when she went to Poona. Colonel Barr and Mr. Tucker deputed me. Colonel Barr was Resident then, and Mr. Tucker came to Baroda. Both Salam and Raoji spoke to me after the Commission was gone about going to the Maharaja. Eshwant Rao Jasud spoke to me once or twice. Salam and Raoji spoke to me often on Sundays and Mondays, when the Maharaja used to come to the Residency. I did ultimately agree to go to the Maharaj. I did go to the Maharaj. The first time I went was about twenty-five days or a month after the Commission left Baroda. Raoji and Salam went with me, and another man who went with Raoji. We went to Eshwant Rao's house, and thence to the Maharaja's. I did not go with these people to Eshwant Rao's house. I found them at Eshwant Rao's. I went thence to the Maharaja's—to the Bara—or Haveli, from the rear. Raoji, another man, and Salam went with me, and Eshwant Rao by another way. Those who went with me were Raoji, a man with Raoji, and Salam. We went. We entered the Palace from a rear entrance where a new garden has been lately laid out. I don't know that garden's name. Eshwant Rao went by another road, and brought the Maharaja and came with the Maharaj.—I mean Eshwant Rao went from his house by himself and very likely entered by the front entrance. He did not go with us. We went

to a room upstairs. I first sat down at a place some steps below the room. When Eshwant Rao had brought the Maharaj there, Salam said to me "Come upstairs." I went up. Raoji and I, we two went up. Raoji's companion remained below, downstairs. On going up I saw the Maharaj. Eshwant Rao and Salam were with him. I sat down. Eshwant Rao and Salam began talking with the Maharaj. I had some talk with the Maharaj. At first the Maharaj expressed anger. The Maharaj said "This man is a rogue (*lūcha*), why did you bring him?" Raoji said "No Sir, he will not do roguery (*lūchai*) now." Raoji, Eshwant Rao and Salam they all spoke thus. I said nothing to their speaking about *lūchai*. The Maharaj said "In the same way through Salam you will give news and information from the Residency." I said "Very well." And that was all I said. No more occurred at this first interview. I went to the Maharaj on a second occasion—a month more or less after. Raoji and Salam went with me, and also a man with Raoji. There was one man with Raoji, named Karbhai. On this second occasion I saw the Maharaj, so did Raoji. Karbhai was made to wait below, and did not see the Maharaj. Karbhai was a punkawala at the Resident's bungalow. Conversation took place between the Maharaj and Raoji. I did not take part. If they put a question to me, I said "Yes." These visits did not occur by day but by night. We left this place at 8 or 8½ P. M., and reached the Maharaja's at 9 or 9½. On the second occasion I went to Eshwant Rao's house, and thence to the Maharaja's. Salam and the others went into the Palace with me together. Between the two visits Salam used to come to the bungalow and we exchanged salaams. We said nothing to each other. Raoji and Salam used to sit together. Eshwant Rao and two or three sowars used to come before the Maharaj when the latter came to the Residency. On such occasions Raoji and Salam used to sit together. I went to Nowsari with Colonel Phayre. The Maharaj went there also at the same time. Salam went there with the Maharaj. Eshwant Rao did not. Salam lived in the same place at the bungalow where the Saheb put up with some sowars. I mean in the compound. Raoji caused a present to be given to me. Perhaps the Maharaj said something to Salam. Salam said nothing to me. Raoji said to me "Two hundred and fifty rupees have been given for you." I said "What am I to do with the money here?" He left that money with Salam. Raoji did so. When Salam was about to return to Baroda, Raoji said "The money has been sent to your house." Salam after having paid the money to my house reported to me. Raoji told me the money had been sent. Raoji said "The money has been paid to your brother." On my return I came to know that the money was received. When at Nowsari I did not go to see the Maharaj. When the Saheb went to see him two or three times I went with the Saheb. I had at Nowsari no private interview with the Maharaj. After I returned from Nowsari to Baroda I went to see the Maharaj. This was a month more or less after my return. I went there after going first to Eshwant Rao's house, where I met Raoji and the persons who usually went. I mean Raoji, Karbhai, and Salam. Eshwant Rao did not go with us, but went by himself; he was at his house. He said "Go on and I will follow." I went from his house to the Haveli. We went by the garden side. After waiting sometime the Maharaj came there into the same room. I, Raoji, and Salam went to see the Maharaj. Except Raoji and the Maharaja's servants none went with me into presence of the Maharaja. Karbhai never did. One Jaga did once. At this first interview after my return from Nowsari, Raoji had conversation with the Maharaj. Raoji used to write on a note the names of people who came to the Residency. I mean he wrote the conversations that took place at the Residency. Eshwant Rao, Salam, and the Maharaj were sitting there. Raoji said, "The present in honour of the marriage,"—I mean the marriage made by the Maharaja. Then Eshwant Rao said to the Maharaj, "Maharaj, nothing has been given to these persons." The Maharaj said "Do make some arrangement regarding these persons." On that occasion nothing was given. I received something afterwards, ten or fifteen days after. I received Rupees 800. Salam brought me that money. We, i.e., I and Raoji, divided it. Some was also paid to Salim and the punkawalla. I paid the money to Raoji, who paid it to the punkawala Jaga. I paid Salam

100 rupees. I got myself about 300 out of the 800 rupees. When it was in the depths of the monsoon Raoji did not himself take his news notes, but used to give them to me, and Salam used to get them from me. I got from Raoji and gave Salam about 20 or 25 chitties. I did not give them on the Mondays and Thursdays Salam used to come to the bungalow, but on other days. Raoji used to write them daily, excepting Mondays and Thursdays. After the receipt of the Rupees 800, I went again in one month and a half or two months to see the Maharaja. On this occasion I went from Eshwant Rao's house, from which went with me Raoji and Karbhai. Salam went on ahead but with us, and one of Eshwant Rao's men went with us. I saw the Maharaj in the same place as usual. It is a small room, where there is a bench and a mirror. There were some candle-sticks of brass for giving light. The Maharaj sat on a raised seat or bench. I sat on the ground. Raoji also sat down. I and Raoji saw the Maharaj. Eshwant Rao and Salam were with the Maharaj. The Maharaj had some talk with Raoji. I was present, heard, and took part. The Maharaj said "The Sahch now becomes very angry, and some endeavour should be made regarding it." Eshwant Rao said, "It is the intention (*irada*) of the Maharaj. The Maharaj will give you something, you try to put it in (*dalna*)."

The Maharaj said, "Yes, you should do something by which the thing should go into his stomach." I said, "With regard to the food, that does not lie in my province; I won't be able to do it." Then Raoji said, "If you like I will put it in the pumalo sherbet which he drinks." The Maharaj said, "Very well, try to do it." The Maharaj said, "I will send a packet (*pudi*) which should be given to Raoji." Eshwant Rao and Salam said, "With regard to what the Maharaj says, when he gives it to us we will bring it." The Maharaj said, "If the thing is done, it will be good for you." Eshwant Rao repeated the same thing. By the words "It will be good for you" was meant you will get your meat and drink well, so that you won't depend on service. The Maharaj said this. Salam and Eshwant Rao said the same thing. This interview lasted ten minutes or quarter of an hour. I don't remember the month. The occasion was fifteen days, or twenty, or twenty-five days, or a month before Colonel Phayre discovered poison in his tumbler. At that interview no packet was given me. After it was over Salam gave me a packet the next day. Salam gave it me at my house. The packet was as long as my forefinger, made up in Ahmedabad paper. Salam said to me, "This is the packet to which the Maharaj referred; give it to Raoji." I did not open it, but kept it in my turban. When I came to the Residency at 8 o'clock I gave it to Raoji. After that I saw Eshwant Rao at the bungalow on the fourth or fifth day. I did not hear the conversation then between Eshwant Rao and Raoji. Salam asked me about the packet, whether I had given it to Raoji, and I said I had. I had no further conversation with Salam. Raoji went there. I don't know if he had any. I had at that time no talk with Raoji on this matter, though we were always together there. After the Dassera procession I went again to see the Maharaja. It occurred as follows: Raoji said, "Those people are pressing: they say nothing has been done as yet." I said to Raoji, "You should know that, whether you did it or not." (*The Interpreter says the Dassera is shown in the Calendar as the 20th October.*) Raoji said, "As far as I am concerned I did put it (*dalna*)."

Nothing more occurred at that time between Raoji and me.

This was eight or ten days after the Dassera procession. About five or six days after I went to see the Maharaj. This was seven or eight days before the attempt to poison Colonel Phayre. I went as usual to Eshwantrao's house about 8 o'clock at night. Raoji, Karbhai, and Jaga punkawala went with me from Eshwant Rao's house. Salam as usual took me into the Palace. Raoji and I went into presence of the Maharaj. We saw him at the usual room. Salam and Eshwant Rao were with him. The Maharaj said, "You are a *lucha* (and used a coarse expression)*; you have done nothing as yet." I said, "Raoji knows that." Raoji then said, "As far as I am concerned

* *lucha*.

(the same word of coarse abuse deposited to by witness Raoji.)

I did put it in." Raoji added, "What can I do if your medicine (*dawa*) is not good." The Maharaj said to Raoji, "Very well, I will send another packet, and you do

it properly (*barābar karo*).” He added “Put it in well.” Raoji said, “Very well.” Eshwant Rao and the Maharaja both said, “It will be brought to you to-morrow by Salam. Give it to Raoji.” Nothing further was said. I then left. Raoji waited a little while. I received from Salam a packet like the previous one, near my house. I brought it with me and gave it to Raoji at the Residency at the place where we sit on our form. This was five or seven days before the poisoning was discovered. I don’t remember exactly. I remember that Monday. I came that day at 8 o’clock. I saw Raoji on the seat he used to have, near the private office of the Saheb. That’s our usual seat. I had no talk that morning with Raoji. I had some after the disturbance (*gharbar*). This was after the Doctor Saheb had come and gone. Raoji said, “The Doctor Saheb took a tumbler away (*tumbler*).” So saying, Raoji went in front of the bungalow. I had no further talk with Raoji at that time. Raoji said to me, “The Doctor Saheb took away the tumbler into which I had put it.” That day when I came from home I found Salam sitting at the bungalow. I had no conversation with him, but went on to the bungalow. On that day I was examined by Colonel Phayre (*Zabani*). My written examination was taken that day or the next. I was not suspended from employ. I remained on duty at the Residency until the day of my arrest by Mr. Souter. I remember Raoji being taken before Mr. Souter. From the day Raoji was taken before Mr. Souter till I was myself arrested, I had no conversation nor communication with Raoji. I saw Raoji seated at a distance at the place where my deposition was taken. Before I made my statement to Mr. Souter, I don’t remember whether I had been told what Raoji had said. When I made my statement, I did not know what Raoji had said. No promise of pardon was made to me before I made my statement. Before I made that statement, I was on duty with Sir Lewis Pelly. On that day he was sitting with Mr. Souter. Neither Mr. Souter nor Sir Lewis Pelly said anything to me. They heard my statement. I was kept under a military sepoy guard at the Residency; for a short time there were Native sepoys, latterly European soldiers. After my statement had been taken down, I went that same day into a garden at the Residency. I fell into a well. After a long service this happened, and I thought I could not show my face after this. It was my fate. I had taken my meal, and then I saw many people coming there. I saw my fellow-servants of long standing. I said, “After my long service, this is my fate.” I fell into the well.

Q.—Did you fall accidentally or on purpose? A.—I saw a number of people, my head turned, and I fell (*girparna*) into a well. I remember Raoji shewed me a scar on his stomach. It was before the disturbance about the thing thrown into the tumbler—a few days before—not many. Raoji told me that he had received those scars from a small bottle (*sisi*) he had placed there. It was a swelling (*pola*) and something burnt.

CROSS-EXAMINED BY SERJEANT BALLANTINE:—I had been about 32 years or more at the Residency. I had had no quarrel with Colonel Phayre. He was the same as my parents, and found me with food. It was my bad fate. I was instigated to poison him by Raoji: it was my predestination. The money I received was not for this, but for the marriage. For this the promise was that it would be better for me. I understood that I would get promotion and money. That was why I engaged in the affair. I am to get nothing for what I say to-day. I would not take money in order to perjure myself. It was my fate. Raoji used to make notes of what went on at the Residency. I gave them to Salam. They were on pieces of paper sealed up, and I gave them every day. I have none with me. They may be with Salam or the Sirkar. The room where I first saw the Maharaja was a small room, with a bench in it. There were two mirrors, one o’clock; it was night, I did not observe what else there was. It was in one and the same room I always saw the Maharaja. Perhaps it led to a bath-room; there were doors leading to other rooms. There was no bathing-place in this room: perhaps the door led to a bath-room. I did not see a bath-room. I know nothing about a bath-room. I have not since been to the Haveli. I was examined before Colonel Phayre. I promised

to tell him the whole truth: but I caused him to write some falsehoods. My conscience had not begun to work then. It was written in my fate that I should tell him lies. I am of the Hindu religion. I said that I suspected Faizu in the attempt to poison Colonel Phayre.

Q.—You knew at the time that Faizu was innocent? A.—Faizu was in the habit of coming to see a Padri Saheb, and so was a Kazi. A Padri Saheb used to come to our bungalow. Salam used to go and sit at Faizu's room. Faizu had a room in the Residency compound, and Salam and those others used to sit there. All the other servants mentioned [*likhuāya*] Faizu's name, and I did the same. I heard that and I also made that statement, so that we might agree. I thus stated a false story. Raoji and I did not agree to mention Faizu. Not only Raoji, but all the other servants mentioned Faizu. I did not make the statement merely because Raoji did. I did not know that Raoji had made the statement. Raoji and I did not converse about it before my examination. Raoji was confined before his examination. Abdulla, Pedro, the hamal, the masal, they all caused that statement to be written. I do not know that Raoji and other servants agreed to charge the Maharaja, nor that they have done so. With regard to the packet brought to me, and which I delivered, there is no falsehood. It is all truth that I say to-day. I don't know that the servants have conspired to accuse the Maharaja of the attempt to poison. I don't know that Raoji has given evidence charging the Maharaja with an attempt to poison. I had five or six meetings with the Maharaja. Perhaps five. I think five times. On the first three times there was no allusion to poison. Salam, the Maharaja, Raoji, and myself were present when it was arranged that a packet of poison should be sent. I don't remember the day of the month or week. One packet was given about 25 days before, and the other about seven days before the attempt to poison Colonel Phayre. (WITNESS' ATTENTION CALLED TO THE FOURTH MEETING WHEN POISON WAS MENTIONED FOR THE FIRST TIME.) I quite understood at the fourth meeting that the intention was to poison the Resident. It was the first time it was mentioned in my presence, or that I knew anything about it. I went again after the Dassera holiday, at the time of the second packet. At the fourth meeting one packet, and at the fifth meeting one packet, altogether two packets were given. The Maharaja became angry and gave a second packet. The fifth meeting was from five to seven days before the attempt to poison Colonel Phayre. I asked Raoji. Salam and others pressed me to know what had become of the powder given at the fourth meeting. Raoji said he had put it in: what could he do? I did not ask him, nor he tell me if he had kept any back, nor how many times he had given it. I did not remonstrate with Raoji about the slow poisoning of my master. I was shown a boil by Raoji on his stomach. I can't say when this was. It was about or after the time of the last meeting. I don't remember. A bottle was kept under a box in our bungalow. At the last meeting with the Maharaja something was given Raoji; I was getting up. I don't know whether it was a bottle or packet. As I was going down I observed something given. I did not ask Raoji what it was. I don't remember asking him after, but he showed me that a bottle was given, and it caused a boil on his stomach. This was with reference to the same vial. I don't remember whether I understood it to refer to the same bottle given at the last meeting. It did (*dabat*) refer to the same bottle. I can't be sure. I never saw a second bottle. Most likely it was after the last meeting, but I can't remember properly. I can't remember whether he said he had poured it in.

RE-EXAMINED BY MR. SCORLE:—I mean the Residency by the bungalow where the bottle was kept. I saw the bottle; I saw it only once. I cannot remember properly. Raoji showed me that after shaking what was in it, it should be put in the tumbler. Raoji showed this. I don't remember when he did this. It was before the day the poison was given to Colonel Phayre. I don't remember how long before. I was under guard and have come out to-day. After two months I have been brought out. Nobody has told me who have been examined before the Commission. I have been under a guard. No one has told me what evidence has been given to the Commission.

BY RAJA SIR DINKAR RAO :—I have gone and come to the Maharaja only in the time of the present Maharaj. I did not do so before the time of the late Commission. I did not go to the Maharaja Khande Rao except with the Resident. I did not go to him to ask for a present. Some minor Sirdars give them, but not the Sirkar. The Diwan Rao Saheb used to give presents directly. It was not the custom to ask of the Durbar. When I agreed to poison, I did not ask about provision for my family. It was on what the Maharaja said that I relied. It was done through Raoji. There were not ten persons present when poisoning was suggested,—only his own servants and us. In my life I have not given any poison. A packet was given me to give to Raoji, which I did. It was his business to arrange how much to use or not. Nobody spoke of accusing Faizu; each mentioned his name in their statements, therefore I did so also; Abdulla, Pedro, Ranchor, the bamals, altogether five or six persons mentioned Faizu's name in their statements. Although the Maharaja called me a *lucha* at first meeting, he trusted me, because Raoji, Salam, and Eshwant Rao took me to him and assured him. I am a Hindu, Telangi or Kamati from Telangana. Why should I be afraid of the police from speaking the truth? I know that I am guilty; it is my bad fate. I state the truth whether the Sirkar pardons or not,—they are parents. If I were offered a pardon, I could not tell more truth than what I have said. The Sirkar may kill me if they like. I have said without fear what I had to state. In the presence of God I have stated the truth. I have not stated an untruth.

BARODA, }
March 4th, 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

NO. XXVIII.—JAGA STATES ON SOLEMN AFFIRMATION :

EXAMINATION-IN-CHIEF

BY MR. INVERARITY :—My name is Jaga Bhagwan employed as a punka-wala at the Residency. I know Raoji Havildar and Narsu Jemadar. I knew Salam and Eshwant Rao, servants of the Maharaja. I have been to Eshwant Rao's house. It is in the city. I went with Raoji Havildar. I went twice with Raoji. When I got to Eshwant Rao's house, I saw his karkoon. That was on the first occasion, about 7 o'clock at night. His karkoon gave me rupees. Five hundred rupees were paid altogether. One hundred rupees were given me to keep. Raoji Havildar took the other 400 rupees away. Raoji gave me the one hundred rupees. Raoji got the 100 and the 400 rupees from Eshwant Rao's karkoon. This first visit was 14 or 15 months ago from to-day. I went on a second occasion to Eshwant Rao's house seven or eight months after the first visit. I went at 7 or 8 o'clock at night. I saw Eshwant Rao, Salam and Narsu Jemadar. From there those three and we two, altogether five of us, went to the Haveli. I was made to sit below. The other four went upstairs. They went by the Nazerbagh entrance. I waited till they returned. They were upstairs about two hours. Then I and Raoji Havildar returned to the camp. I was never paid any money on any other occasion. The paper shown me is in my handwriting. I have read it. I wrote it at request of Raoji Havildar and Narsu Jemadar. I may have written two or three other notes at their request. I wrote them at request of Raoji and Narsu. I wrote what they told me. Having written them I gave them either to Raoji or Narsu. I wrote what they caused me to

Paper given to witness to read to himself.

write. They know the substance. The other letters were of another sort to this. They were of the same sort.

The letter is put in on Mr. Scoble stating that it will be proved to be found in Salam's house. It is recorded as X and English translation is read.

TWO OTHER DOCUMENTS ARE NEXT SHOWN TO WITNESS.

I don't know whose handwriting these two letters are in. They are not mine.

(No cross-examination is desired.)

BARODA, }
4th March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXIX.—KARBHAI AMARSINGH STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

BY MR. SCOBLE:—I am a punkawala. I was not so employed last year at the Residency. I was this year. I don't remember the months. I know Raoji, havaldar of peons. I went with him to the city by night. I went several times—four or five times. My first visit in Raoji's company was I don't remember how long ago. It was in the hot weather, last hot season. I went by the high road to Eshwant Rao's place in the city. On all my visits I went to Eshwant Rao's place; I used to see Eshwant Rao there, and also Salam and Narsu Jemadar. From Eshwant Rao's place I used to go to the Sirkar's Haveli. I may have gone more than once, but don't remember. Narsu Jemadar, Eshwant Rao, Raoji and Salam went with me. I went inside the Haveli. We had to go up three flights of steps and were made to sit in a room, and they used to go somewhere. I mean Raoji, Narsu, Eshwant Rao and Salam. I remained sitting in the room till they returned. I remember going to the Haveli and sitting as described two or four times. I usually stayed sitting, waiting for the others to return, for about half an hour.

CROSS-EXAMINED BY MR. BRANSON:—On the last occasion I was 14 or 15 days as punka-puller at the Residency, and on the first occasion for one month. I went first when the punka was started. I was first employed as substitute after the last Holee (March 2nd, 1874 J. J.) I don't know March. The second time was when the punka season was nearly over. It is about three months ago. Before I was first employed I knew Raoji and Narsu. I swear it. For the most part I became acquainted with them when employed there at the punka. I don't remember whether I said before now about my going upstairs and sitting while the others went away. I told Mr. Souter that sometimes I went upstairs, sometimes I stayed below. That is what I told Mr. Souter. I don't know if the extract read to me is correct. I have been in custody for one month and a half on account of this evidence. I stated what I had seen, and so I was kept under surveillance. I was in surveillance three days before I made a statement to Mr. Souter, but I used to go home in the evening. I was under the Khan Saheb's care. One day I was not asked anything. I was asked on two days. I don't recollect if it took Khan Saheb two days to elicit from me what I told Mr. Souter. I saw Jaga about that time. He was in custody. At that time I used to go home. I was under surveillance from the day following that on which the Maharaja was arrested.

RE-EXAMINED BY MR. SCOBLE:—On the first day I was asked nothing and allowed to go home. On the second day I was sitting; I was asked nothing, and allowed to go home. On the third day I made my statement to Mr.

Souter and was allowed to go home. I have been in surveillance from the day following the arrest of the Maharaja.

BARODA, }
4th March 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXX.—DAJIBA NAROTUM STATES ON SOLEMN AFFIRMATION :

EXAMINATION-IN-CHIEF

By MR. INVERARITY :—I am Dajiba Narotum, a bricklayer. I know Raoji, Havildar of the Residency. He got me to get some ornaments made for him. He first spoke to me about the time of the Diwali before last. I went with him and pointed out the house of a goldsmith named Sivlal. I know what ornaments were made on that occasion. They are mentioned in the goldsmith's book. I will tell, as well as I remember, what was made sixteen months ago, viz., a pair of silver anklets (*tora*), a man's gold necklace (*kanti*). Afterwards one gold wristlet called *kani*, two gold finger rings weighing one tola, a boy's waist-ring of silver *kandora*, a pair of small silver anklets for a boy. The making of them commenced in the month of Kartik. The ornaments were taken away at two or three times, as they were ready. I did not keep an account for Raoji of the ornaments. At the time they were made the goldsmith gave a writing (*panch*) or receipt. This is it. It was given to me in Raoji's presence. I said to Raoji, "Take this receipt of yours." He said, "I will take it to-morrow or the day after." It remained with me till I was called to the Residency. I gave it to the Ahmedabad Fouzdar, Gajanand Vithal, who gave it to the Saheb. I know that Raoji was married, but I don't remember the month.

Paper shown to witness.

CROSS-EXAMINED BY SERJEANT BALLANTINE :—Raoji asked if I knew any man of my acquaintance. The goldsmith lives near a pipal tree, not near Raoji's house.

The paper already shown is recorded as Y.

BARODA, }
5th March 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXXI.—SHIVLAL STATES ON SOLEMN AFFIRMATION :

EXAMINATION-IN-CHIEF

By MR. SCOBLE :—My name is Shivlal Vithal, a goldsmith. I live near Ganpatrao Mahajan, near the roadside, outside the city, not in the camp. I know Dajiba Narotum, an acquaintance of mine. He got some ornaments made by me for a puttevala named Raoji, employed by a Saheb. It was said he was employed at the Resident's bungalow. I made ornaments for him at Dajiba's request. I have not got my book, but it is here. This book is mine.

Red leather covered book shown.

I am not learned. I caused another person to write for me. I cause any one I choose to do it. I cannot read or write. I first made a pair of anklets at the time of the Diwali. It is all written in this book. I mean the Diwali before last. I cannot point out Raoji's account in my book. I made one anklet first. I made one anklet, one *dora* or gold necklace, one gold wristlet called *kani* weighing three tolas; and, as I made the ornaments, from time to time I delivered them. They were a pair of anklets, one gold *dora* or necklace, one *kani* or wristlet, two gold finger

keys of his boxes and do all he told me to do. I did karkoon's work; I kept the keys of his boxes. I could recognize Raoji if I saw him. If I saw Jaga, I would be able to say if I recognize him. I recognize them as these two men. I once saw them at Eshwant Rao's house about one year or fourteen months ago. It was about eight o'clock at night. I gave them something on that occasion—Rs. 500; I mean Baroda rupees. I gave them by direction of Eshwant Rao. When these two men came Eshwant Rao was upstairs in his house.

[No cross-examination is desired.]

BARODA, }
5th March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXXIV.—CHAGANLAL STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

BY MR. INVERARITY:—My name is Chaganlal Damodhardas. I am Sheristedar of the Fouzdari Huzoor Court at Baroda. I know Salam, a Gaekwari servant. I know his house. I remember a police guard being placed on his house about the 23rd December. I can't be exactly certain. I went next day with Hormusjee Ardesir Wadja, Huzoor Fouz-

A Havildar calling himself Mir Imam Ali called.

dar, to search. There was a Bombay Police Havildar with me. This is him. Hormusjee Wadia is Chief Huzoor Fouzdar, a servant of the Gaekwar. I hold my appointment under the Gaekwar. I saw papers found in the house. They were put into a packet; and as there were many papers, so they were tied up again in a handkerchief and taken to the Huzoor Fouzdari Office. I went with them. Hormusjee Ardesir Wadia and Imam Ali also went. At the Fouzdari Office a label of paper was put over the packet in the handkerchief, and then I sealed the paper with four seals at the corners of the papers. I was directed to do so by direction of Hormusjee Shet. The man who carried the packet from Salam's house to the office was one of my sepoy who went in the same buggy as I did. A memorandum was written on the label: "This packet contains papers found at Salam's house." The packet was delivered to Imam Ali Havildar, who took it away. The handkerchief shown me [folded] I can't identify as that used.

Q.—Open it and see. A.—(After opening it)—This is the handkerchief.

BARODA, }
5th March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXXV.—MIR IMAM ALI STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

BY MR. SCOBLE:—My name is Mir Imam Ali. I am Havildar in the Bombay Police. When Chaganlal and Hormusjee Ardesir Wadia searched the house of one Salam I was present. I did see some papers found there. Chaganlal sealed them up in a packet enclosed in a *rumal* and gave them to me. I brought it, showed it to the Saheb, and kept it under guard. On the 29th December I handed it over in presence of Salam and Manibhai to the Rao Saheb. Salam was brought and it was placed in front there to be opened.

It was opened in presence of Salam and Manibhai. From the day I received it till this opening of it in their presence, on the 29th, it was kept in our police guard. When I produced it for opening in presence of Salam and Manibhai it was all as perfect as I received it.

By THE PRESIDENT:—I refer to the last December.

[No cross-examination is desired.]

BARODA, }
5th March 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXXVI.—MANIBHAI JASBHAI STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. INVERARITY:—My name is Manibhai Jasbhai. I am Native Assistant to the Resident at Baroda. On the 29th of December last, I was present when a packet of letters was brought by Mir Imam Ali. A paper was gummed over it so as to cover the knot at each corner of the cover. The seals were those of the Fouzdari Court—ink impressions. There were words inscribed to the effect: "Found in Salam's house." Salam was present when it was opened. I did not make a list of all, but I did of some of the papers.

Exhibit X shown.

The paper shown me is one of those taken out of the bundle. It bears my signature which I put on at the same time.

These other papers were also found in the bundle: they both bear my signature made at the time. I have got the list of the papers which I made.

Two other papers shown.

MR. SERJEANT BALLANTINE OBJECTS TO THESE LETTERS BEING RECEIVED AS THEY ARE NOT PROVED.

THE HON'BLE A. R. SCOBLE ANSWERS THAT THEY WERE FOUND IN SALAM'S HOUSE AND ARE CONNECTED WITH THE CASE BY THE EVIDENCE OF RAOJI.

THE PRESIDENT RULES THAT THEY ARE NOT SUFFICIENTLY CONNECTED TO BE ADMISSIBLE.

[No cross-examination of Manibhai is desired.]

BARODA, }
5th March 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXXVII.—BUDHAR NARSI STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. SCOBLE:—My name is Budhar Narsi. At first I was a puttawala, now I am raised to be Jemadar, at the Residency. I was promoted last month to Jemadar. Before that I was puttawala in place of Raoji. I got his belt on the 15th December (*Natal ke mahina*). I got it from Mr. Blandford, Assistant in our office. When I got it I put it on. It remained with me till Christmas, the 25th December. It remained with me from the 15th till the 25th, except when I went to bathe or dine, and then I put it at the *deori* where the peons sit. On Christmas day the Khan Saheb asked me to produce it. It

was on me. Khan Saheb said, "I want to examine your belt." I took it off and gave it to him. The belt shown me is the one I received and gave the Khan Saheb. I point out one pocket. I don't know of another. It is hardly a pocket, rather a place for a sword. I knew of no pocket.

Red Belt shown.

[No cross-examination is desired.]

BARODA;
5th March 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXXVIII.—AKBAR ALI STATES ON SOLEMN AFFIRMATION:
EXAMINATION-IN-CHIEF.

By MR. INVERARITY:—I am Khan Bahadur Akbar Ali. I am head of the Detective Police in Bombay. I have been in Government service since April 1831. I came with Mr. Souter to Baroda to enquire into this case. I remember this belt. On the 25th December last I examined it and found a packet. I had asked Raoji where he used to keep the packets he used to bring. He had stated that the packets given him by the Jemadar were kept by him in his pockets. I thought I would be able to find some trace of something dropped from the packet into the pocket. I asked him, "Where is your belt?" He said, "It is in possession of one Budhar at the Residency." Four of us were then present, viz., I, Khan Bahadur Abdul Ali, Rao Bahadur Gajanand Vithal, and Raoji. The place was that where our Saheb Mr. Souter was in the habit of writing. This was in the bungalow of the Residency. When Raoji told me his belt was with Budhar, I sent for Budhar, who came. Then Raoji pointed to the belt on the neck of Budhar, and said, "This is my belt." It was on Budhar's neck and round his waist. [Witness put it on to show that it hung from one shoulder across breast and back and was tied by a cloth at the waist.] I asked Budhar to give the belt to me. He did so. I began to search it. I put my fingers in here [shows]. Raoji said, "Not there, but here." I first put my fingers in the slide. Raoji then said, "Not there," and pointed to this place [shows]. Then I put my fingers in there. It is the back pocket—the secret pocket. I felt something hard there. I could not get it out, so I tore up this end. When I saw the packet I sent for Mr. Souter. Then I tore it open. On the upper part was a dirty rag. Budhar said, "That is my rag." In the back pocket I think there was a little bit of white thread. I did not open the packet, Mr. Souter opened it in my presence. I saw what was inside the white paper. It was a white medicine, a powder like flour, white. Mr. Souter kept the packet after that.

CROSS-EXAMINATION BY SERJEANT BALLANTINE:—I never speak English. I don't know it, nor understand it. This is the pocket where I found the packet. When I first had the belt the pocket was not torn. I tore it this way [shows]. I can't say how much I tore. I tore it because I felt something hard and wished to see what it was. I called Mr. Souter after I saw the packet. I did not call him before the tearing because I was not sure it was a packet. I knew it was something. I knew more after the tearing. I called Mr. Souter that he might see what it contained. Raoji had made a statement to me.

Q.—Why did you not examine it? A.—Raoji said some medicine had remained. When I heard this I did not take it out,—I mean that Raoji said this after he and I saw the packet. Then I sent for Mr. Souter in order that he might open the packet with his own hands. There he was, my Chief, so I sent for him.

Q.—Was it to have a witness to the finding? A.—There were three of us witnesses: Raoji, Gajanand Vithal, Khan Bahadur Mir Abdul Ali and

RE-EXAMINATION BY MR. SCOBLE:—The lower end of the belt which I tore had been sewed up. I tore open the stitches. Mr. Souter was about ten paces off in a room adjoining and separated only by a chick. It was in the Residency bungalow. Mr. Souter had told me to wait there while he washed himself. He came as soon as called. I first mentioned the belt to Raoji, not he to me. This was when Raoji told me he used to keep the powder in the pocket of his belt. I at once sent for the belt. I had never seen the belt before, nor known Budhar. Having found the packet in the belt, I considered it my duty to send at once to Mr. Souter. Raoji was brought to me on the 22nd at seven or eight in the morning. I did at once put some questions to him. I sent for Raoji because both I and my Sahib strongly suspected him, as we received information from all sides that he had been squandering money and because he used to go to the room where the sherbet was. When I questioned him in the morning he gave no information. I saw him in the evening. I had no leisure to speak to him till the evening, though I saw him in the interval. Narsu was not in custody that day, but on duty as Jemadar at the bungalow. Narsu was not in custody with the servants. The servants were not in my custody, but were brought for inquiries to be made. Faizu and Jaga and Ramabhai were in custody. Ramabhai who had been put in custody by Colonel Phayre was brought up. Raoji was in custody from the 22nd to the 28th. Except on the occasion described, Raoji was not allowed to see or converse with Narsu up till the present time. He saw him on the 24th.

Q.—Did Raoji say anything more to the Jemadar than that he had told everything up to the neck? **A.**—He did not say anything more. Nobody told the Jemadar what Raoji said. After the 22nd December Raoji was where we lived. That was for a few days on the maidan near the Residency, outside the compound. In each tent two, three, or four persons were kept in custody of police sepoy. After that we transferred ourselves behind Colonel Barton's bungalow, before the Mohurram, about the 2nd or 3rd February. Raoji has been there ever since. Narsu was for some days under a guard of native regimental sepoy and then of European soldiers. He was kept at the place near the Residency where the guard stays. He has never been in my custody. I have had nothing to do with the matter for which the three Boras are in custody. Gajanand Vithal has to do with it. When Raoji showed that he had told everything up to his neck, the Jemadar spoke, not to Raoji, but to me after Raoji left.

By SIR DINKAR RAO:—Under Mr. Souter I had authority to enquire into this matter. I did not open the belt in Mr. Souter's presence because I did not know it contained a packet.

BARODA;
5th March 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XXXIX.—WASANTRAM STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. SCOBLE:—I am Wasantram, son of Bhikariram. I had employ under the Gaekwar, in the shop at Bombay and Baroda, a shroff or banker's shop, as superintendent of accounts. I used to live in the Palace (Wara) in the treasury department and used to see His Highness. I know Eshwant Rao, also a servant of Mulhar Rao as jasud (messenger). I knew Salam, a servant of the Maharaj. They used sometimes to attend him and sometimes not. I knew Damodhar Trimbak alias Damodhar Punt. He was in the private service of the Maharaj, in making payments to sepoy and karkoons. I was once sent for by the Maharaj to read a paper for him eight or ten months ago. I went to the Maharaj. There was a paper (*chit*) which I read out. It was lying on the bench. I took it up, and a khitmatgar told me to read it and I did read it. The Maharaj and other

servants were there. I read it as I am speaking now, in the same tone. It was in Gujrathi. The khitmatgar told me to read it out. I read and kept it with me, and next day I gave it to Damodhar Punt. Some one told me to do so. The Maharaj told me to do so. I have not seen it since I gave it to Damodhar Punt. I remember a little about what it was about. It had no date at the top: "Poonekar and the Nawab Saheb's karkoon are having conversation with the Saheb." I do not remember further contents. There was no date nor signature to the note. I live in my house. I used to go every day to the Palace (Wara). That is the part where cloth is stored up,—I mean the old Haveli. It is there my place of business is. Behind that Haveli is the Nazerbagh. There is an entrance to the Haveli at the back on one side near the Nazerbagh. There is a cutcherry up above. The entrance is ordinary for going and coming.

CROSS-EXAMINATION BY MR. BRANSON:—The ground-floor is used as a store room and the first upper storey for a store room, and the second storey for the Nyayadesh's Cutcherry. His name is Anna Pendse. I am in custody for the offence of reading a letter from the time of the attachment (*japle*) from Thursday, Paush Shudh 6th, the day the Maharaja was arrested.

RE-EXAMINATION BY MR. SCOBLE:—There is a third storey. By passing through a small room there is a passage to go up. That is on the third storey. I am not sure, but believe there is a fourth storey. It lies unoccupied; people go about; that's all. I have been in those storeys. I am living in the street near Champana in my own house. Since the 6th Paush Shudh I have been in confinement in Senapati's Cutcherry, in custody of the Gaekwari police.

[The Interpreter refers to the Calendar and states that Paush Shudh 6th is the 29th December.]

BARODA;
5th March 1875.

(Sd.) JOHN JARDIN
Secy. to the Commis. ers.

NO. XL.—ARTHUR WILLIAM CRAWLEY-BOEVEY STATES ON OATH:

EXAMINATION-IN-CHIEF

BY MR. INVERARITY:—My name is Arthur William Crawley—Boevey. In November last I was Acting Assistant Resident at Baroda, and lived at the Residency. I remember Monday the 9th November. I had been out that morning early and returned about half-past eight. As I returned I saw some of the Gaekwar's servants, viz., Eshwant Rao jasud, Sulam sowar, and another sowar called Madhao Rao Kale. They were these three in the verandah of the Residency when I saw them. They were in the verandah nearly opposite the entrance door of the house. They came up to me,—I mean the door nearly opposite where you go into the drawing room. To the best of my recollection, I saw Faizu talking to Salam. I heard first about something put into Colonel Phayre's sherbet when I came down from dressing about half-past nine. This was just after the Maharaja had left the bungalow. Colonel Phayre told me of it. I afterwards aided Colonel Phayre in making inquiries among the Residency servants. I was present when Raoji's belt was taken away from him. He hung it up himself on a peg in the office adjoining Colonel Phayre's private room. I know the witness Amina, ayah of my wife. She entered my wife's service in April or May 1873. I know she was several times absent. I can't fix the date. She was seldom absent; therefore I remember it. I can remember she was absent once on the death of Abdulla's child, and again on a later occasion not long before the attempt to poison Colonel Phayre. I remember the day Mr. Souter went into the ayah's room.

I accompanied him. Besides myself and Mr. Souter, I think Gajanand Shastri and Akbar Ali and the other Khan Bahadur were there. I was present when she said something to Mr. Souter. She appeared to be very unwell.

THE POINT BEING RAISED BY SERJEANT BALLANTINE WHETHER THE WITNESS MIGHT BE QUESTIONED AS TO WHAT THE AYAH SAID THE PRESIDENT OBSERVED THAT AS THE AYAH WAS CROSS-EXAMINED ABOUT THESE MATTERS THE EVIDENCE IN CORROBORATION WAS RELEVANT AND SERJEANT BALLANTINE WITHDREW HIS OBJECTION.

The ayah said she had been to the Maharaja's house and had received money. She made many other statements which I don't recollect. But those were the main facts. Mr. Souter wrote down her statement in my presence on that occasion. I had not before that occasion seen the ayah in reference to this matter. I left Baroda on a Saturday. I think it was the 19th December.

CROSS-EXAMINED BY SERJEANT BALLANTINE :—I knew Bhau Poonekar—he was constantly at the Residency. He was on business about a Government ward, and had been sent there by Mr. Hope, Collector of Surat. He was not in the Residency employ, but in that of the Surat Collector. He got no pay from the Residency. He often gave information about Gaekwari affairs. So did many others. Bhau Khodkar did not. I never saw any arsenic or preparations of copper at the Residency. None were procured by me or by my order. Certainly no poison was procured for any purpose after the attempt to poison Colonel Phayre.

RE-EXAMINED BY MR. SCOBLE :—Bhow Poonekar was employed by the Collector of Surat to manage the affairs of Mir Zulfikar Ali, a ward of the British Government, who had estates in Baroda territory. To my knowledge nobody brought any arsenic or preparation of copper into the Residency after the 9th of November. Nor was there any arsenic or preparation of copper at the Residency before that date.

BARODA; }
5th March 1875. }

(Sd.) JOHN JARDINE,
Secretary to the Commissioners.

No. XLI.—DAMODHAR TRIMBAK STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

BY MR. SCOBLE :—My name is Damodhar Trimbak. I am also called Damodhar Punt. I am a Brahman. I was in service of the Gaekwar as Private Secretary, and became such 3 or 3½ years ago. My duty was to pay the wages of sepoy and the allowances or wages of *kushins* (prostitutes), *tomash-girs* (players) and the *shikarkhanas* (hunting department). I had certain funds in charge. They used to be drawn from the shop for private expenses, and I defrayed charges under His Highness' directions. I used to live at Ratnagherry, and at Baroda outside the Leripur Gate. I performed my duties at the Bara or Palace in the Khangi Kutcherry (private office). There are 25 clerks there. The Head Clerk under me was Madhav Rao Ramkrishna. There was a clerk, Nanaji Vithal, at the *javerkhana* or jewel department. I knew Balvant Rao Raoji employed under me in the cash department. Nanaji was in a separate department, but his dealings used to be under me. Abaji Ramchandar was also a clerk under me, and used to write what it behoved him to write. Atmaram Raghonath was employed in the *javerkhana* (jewellery department), but received his salary from me in the private department. I used to attend the Palace from 7 A.M. till 10 at night daily. I used to go home at noon for dinner. The Maharaja used to live on the fourth storey from the ground-floor. Durbar people used to go to him by way of the Gadee (Royal seat), which was on the first storey above the private cutcherry. Outsiders came

by Murgasna's entrance which leads direct to the garden. There is an entrance from the public road. That is the Murgasna's entrance. There was another entrance to get to the Maharaja. It is by the Nazerbagh, and there is another from the Kothara Gate. The straightest way to the Maharaja's rooms is by the Nazerbagh. I knew Eshwant Rao. He was in the Maharaja's service as *jasood*. I also know Salam, a sowar in the Maharaja's service. I have seen Eshwant Rao and Salam attending the Maharaja. They were not with him night and day, but came as required. I remember the Maharaja ordering me to give something to Salam; it was arsenic. It may have been in last Bhadrapad Wad, but I don't exactly recollect. (THE INTERPRETER READS THAT BHADRAPAD WAD BEGAN ON 26TH SEPTEMBER AND ENDED 10TH OCTOBER—FROM THE CALENDAR.) The Maharaja said, "Get two tolas of arsenic for itch." He told me to write a note to the Foujdari Department. I did write a note to the Foujdari Department. This note shown me is the one: it bears my signature. There is an endorsement by the son of Ganpatrao Balvant Foujdar. I have not seen his handwriting till now, but I speak from what purports to be his signature.

Note shown to witness.

MR. SCOBLE READS THE PART SIGNED BY WITNESS AND IT IS RECORDED AS EXHIBIT Z.

The date Bhadrapad Wad 9th (4th October in calendar) is the date I wrote it on. The Maharaja told me to write that the arsenic was required as medicine for a horse; therefore I did so. I did not get any arsenic from the Foujdari. Then I directed that some arsenic be got from Nurudin Borah. Before giving that direction I had some talk with the Maharaja. In consequence of a message I received I spoke to the Maharaja. I said, "Hormusji Wadia says he would give it after asking you." Hormusji Wadia was Foujdar. I told the Maharaja what Hormusji said. The Maharaja then said, "Send for it from the Camp." I said, "A pass is necessary in order to procure it from the Camp." Then said the Maharaja, "Get it somehow from Nurudin Borah, the man who had business with the arsenal (*Sillekhana*)." By *Sillekhana* I mean the depository for medicines and other articles. I mean the *Dawakhana* (dispensary) which is in the *Sillekhana*. The *Sillekhana* is upstairs in the Haveli, close by where the Maharaja sleeps. The Maharaja also said, "Get a tola of diamonds." This was on another occasion. On the Maharaja's order I ordered Nurudin to bring two tolas of arsenic. I saw Nurudin who had been sent for to the Haveli. I saw him and told him to send two tolas of arsenic. He brought and gave it to me. I don't remember if he gave it on the day when he was told or the next day. The arsenic brought by Nurudin was a packet. I did not unpack the packet to see the contents. I asked the Maharaja what I should do with it. Then the Maharaja said, "Give it to Salam: he will convert it into medicine for itch and will bring it." I gave the packet which I received from Nurudin to Salam. I don't quite remember how soon after I received it, perhaps I gave the packet to Salim two or four days after I wrote the order upon the Foujdari. After giving this to Salam I was directed to get one tola of diamonds. The Maharaja directed me. I don't remember when it was; it was about eight days after I got the arsenic. When directing me about the diamonds, the Maharaja said, "Get the diamonds and give them to Eshwant Rao." I got some diamonds from Nanaji Vithal, who is in the *Javerkhana* (or Jewel Department).

Q.—What kind of diamonds? A.—I did not open the packet to see. I gave the packet to Eshwant Rao after having asked the Maharaja. The Maharaja said, "Give it to Eshwant Rao." I gave the packet to Eshwant Rao. After that I once received further orders from Eshwant Rao, about eight days after. He used to give me orders at intervals of four or eight days. The Maharaja told me that a small bottle had been received from the *Hakimji* Doctor, and had been sent to my house by the hands of Gujaba. Gujaba is a servant of Nana Sahib Khanvelkar, who is the present Pratinidhi and brother-in-law to the Maharaja. The bottle had been brought in the night time; I did examine it. The length of the bottle was a finger and a half. There was medicine in the bottle. The Maharaja had asked me to pour the medicine into another vial, which I did. I

poured it into a bottle which was in my possession and had contained attar of roses. It was a small bottle (WITNESS SHOWS THAT IT WAS AS LONG AS THE TWO TOP FINGER JOINTS). Gujaba poured the medicine into the smaller bottle. I kept the small bottle into which it had been poured; and next day I gave it to Salam by instructions of the Maharaja. I saw the Maharaja in the morning about this bottle,—when I accompanied the Maharaja to the Haveli. I went with him in a buggy. I mean a four-wheeled carriage. I was in the same four-wheeled carriage with the Maharaja. I asked him, "What should I do with that bottle?" The Maharaja told me to give it to Salam. I don't remember the date I ordered it to be given to Salam. It was about the time of last Dassera. I gave the bottle to Salam the next day at 10½ or 11 o'clock in the morning. Another time I was directed by the Maharaja to get some arsenic. He said to me, "Get two tolas of arsenic and one tola of diamonds." These were at different times. On this occasion I did bring two tolas of arsenic from Nurudin Borah. I did see Nurudin; it was he who brought and gave it to me. He said it was arsenic. I did not see it. After asking instructions from the Maharaja I gave it to Salam. I was again directed to get a tola of diamonds by the Maharaja. The Maharaja said, "Get a tola of diamonds from the *Javerkhana*." I don't remember if this was before or after I got my second order for arsenic from the Maharaja. Nanaji Vithal brought and gave diamonds to me. I did not open the packet. It contained three *masas* of diamond powder. I know this because Nanaji told me, and it also contained nine *masas* of diamonds. After getting them, I asked the Maharaja what was to be done with them. The Maharaja said, "Give it to Eshwant." He meant Eshwant Rao Yeola. He said, "The diamonds are for making a crown for the Swami of Akalkot." I gave these diamonds to Eshwant Rao. Some conversation then took place. I gave the diamonds to him at the private cutcherry outside the wall. I asked him, "What are you going to do with the diamonds?" Eshwant Rao said, "They are to be ground into powder and to be given to Phayre Saheb." I said "This is bad." I don't remember any further talk on that occasion between me and Eshwant Rao. I remember a report of an attempt to poison Colonel Phayre on the 1st Ashwin Wad, Monday. (*The calendar shows it to be 26th October.*) The report was on a Monday. I gave the packet of diamonds to Eshwant Rao five or seven days before I heard of this attempt. The Maharaja on the day of this report came to the Camp and told me about it. I went with the Maharaja's retinue and got down at the Sevak's Dharmshala. He was going to the Camp to the Resident. The Sevak's Dharmshala is by the roadside, near the banyan tree in the Camp, just outside Camp limits. I had accompanied the Maharaja from the Palace to this place. It was eight o'clock in the morning. I got down because the Maharaja did not take me to the Residency. Having got out at the Sevak's Dharmshala, I sat there doing nothing till the Maharaja came back, and then I got into his carriage and drove with him to my own house, where I got out. As we drove back, the Maharaja said, "There is a report at the Residency." I asked "What about?" The Maharaja said, "Narsu used to come every day; he did not come to-day. Raoji made haste and put it." I said, "What is the cause of the haste?" The Maharaja said, "Narsu Jamedar was not outside on guard* for the purpose of whistling. That's the cause of the report." I had more talk about this. The Maharaja said, "Salam ran to Raoji's house. He went there for the purpose of taking the packets and throwing them into the fireplace where the old woman was making bread. Raoji went to his house, because he was not quite sure whether Salam would or would not destroy the packets.† Raoji went to his house. I don't know whether Raoji threw away the packets or not." The Maharaja added, "This is a bad affair." I don't remember that the Maharaja said anything else. I left the Maharaja at my own house. Before this I may have had talk with the Maharaja about this matter. I don't remember. After taking my leave, I went into the Haveli at 11 o'clock the same day. I saw the Maharaja.

* (*Pahera*) watch.

† The word may also be interpreted as "powder."

He was sitting on Lakshmi Bai's bench and was speaking to Nana Saheb Khanvelkar. They were talking about that noise (*bombal* or exciting report) about the poison. I was at a distance and could not hear what they said; I was five or seven cubits off and did not join in their talk. On the same day, Monday, I again saw the Maharaja at noon. He was then sitting on Lakshmi Bai's bench, as I have told. Then the Maharaja and Nana Saheb and I got into a carriage and drove to the race-course, which is outside the city, on the other side of the Railway. In that drive the Maharaja said, "You should keep yourself well informed of any enquiry that may take place in this matter." The Maharaja addressed this to me and Nana Saheb both, regarding the poison. He said, "You should communicate the particulars to me." I did make enquiries that night of several people who came. I next day told the Maharaja what I had learnt. No other person was present. I said, "Raoji had not been found." I mean that he had not been taken up. The Maharaja said, "He is a very clever man and a liar (*labad*)."
 He said nothing else. On the Tuesday after the Monday of hearing about the poisoning, I saw Salam and Eshwant Rao. I mean the same Tuesday I spoke of Raoji not being arrested. I saw them at the Haveli in the presence of the Maharaja. The Maharaja desired them to enquire about the case of poisoning. I may have had other conversations about it with the Maharaja. I don't remember them just now. I remember going with the Maharaja on Thursday, and I got down at the Dharmasala. I usually went as far as that with him when he went to the Residency. During the time Colonel Phayre was Resident, I did not go with the Maharaja to the Residency. I remember Sir Lewis Pelly coming to relieve Colonel Phayre. I did not go with the Maharaja when he went to pay respects to Sir Lewis Pelly. I did go with the Maharaja to Sir Lewis Pelly on one occasion. I saw Sir Lewis Pelly. The Maharaja went to the Residency. He took me to give evidence of some conversation the Maharaja had had with Narayenji; Raji Pandarang. The Maharaja had some talk with Sir Lewis Pelly, and when about to depart he introduced me to Sir L. Pelly near the door. I don't remember having had a conversation with the Maharaja about the poisoning after Sir Lewis Pelly came. I did not see Raoji at all except on one occasion at Nowsari. I remember Mr. Souter coming to Baroda, I heard of it. After Mr. Souter came, I had a talk with the Maharaja about the poison. Raoji had been arrested and released. Thereupon the Maharaja said, "The man with the proof (*mūda*) has been released; so there is no apprehension." I don't remember the occasion of the Maharaja saying this. It was after Mr. Souter came. I remember hearing of Raoji's arrest. The Maharaja was told by me, "When Raoji was again arrested, he made a confession." The Maharaja said, "I too have heard so." I don't remember if he said anything more. Raoji made his statement and got a certificate of pardon. The Maharaja said, "If any enquiry takes place here, do not admit anything." He also said to Nana Saheb, Eshwant Rao and Salam, "Do not admit anything." I don't remember, without a particular question being asked me, if the Maharaja said anything else on that occasion. I remember Salam and Eshwant Rao being arrested on the 15th Margsir Shuddh Purnima 14th or 15th (22nd or 23rd December). There was a note from the Residency directing that they should be sent there. The Maharaja told me that he had sent Eshwant Rao and Salam to the Residency. I don't recollect the occasion he told me this. It was the evening of the day they were sent. It was not when the note was sent but in the evening that the Maharaja said this. He said "I have cautioned (*lakid*) those two not to confess anything." The Maharaja said nothing more. Eshwant Rao and Salam went to the Residency and came back. They were afterwards sent for again by the Resident and returned the same day. I saw them before they went to the Residency the second time. I saw them at the Haveli—upstairs. Nana Saheb Khanvelkar met me. He was not present. I saw the Maharaja in the evening—after Eshwant Rao and Salam had been sent to the Residency. The Maharaja said, "I have cautioned those two not to acknowledge anything." The Maharaja said nothing more that I remember. I can't remember if he said anything next day. I was arrested on the evening

of the day the Maharaja was arrested. I don't remember what day. It was The Sankrant in 1875 was the day after the Sankrant. On the day the Wednesday, the 13th January. Maharaja was taken I went to the Haveli. At 6 o'clock the Haveli was attached, and all the rooms were sealed up, and a guard placed over the Palace. I was arrested at 8 or 9 o'clock of the morning. Mr. Jackson and Gajanand Vithal said to me, "You should be present at your post: your papers and monies and other things are to be sealed up." I was present when my private cutchery and the Haveli were sealed up. I went home and was immediately sent for again. I was confined in the Senapati's cutcherry in the Haveli, for two days, under a guard of Sepoys, not military, *pardesi* Sepoys. I was brought from Senapati's Cutcherry to the Residency by Sepoys of the Foudar of Baroda. I was put at the Residency under a guard of European soldiers, and so guarded for 16 days, and since then I have been under a police guard. Since I made a confession, I have been in charge of the police. Till then I was in charge of European soldiers. I confessed, because I was tired of being under a guard of European soldiers. One day I was sent to attend a tent at a garden in the rear of the Residency. The two Khan Bahadurs were there; and Balvant Rao, Secretary, who is a Karkoon sent for from Ahmedabad, and one Bhau Kibbe who is a Karkoon. There were also Police Sepoys. Then Khan Bahadur said, "I want to examine the papers in your box." He sent for me in order that I might be present at the opening of the seals. The box contained the Maharaja's private (*khangī*) papers. It had been sealed up in my presence. It was in the tent where I was called. The seals were large and of wax. They were unbroken. The box was opened in my presence, and Balvant Rao Kirtan and Bhau Kibbe began to examine; also the two Khan Bahadurs did so. I remained in the tent examining the papers half an hour. I said nothing to the Police, but they said, "It would be well if you would tell what is the truth." They said no more. Nobody else spoke to me. From the tent I was taken back to the guard of European soldiers. In the tent Khan Bahadur said something to me. (*Objection being taken by Serjeant Ballantine the question is not put.*) Two days after the examination of the papers in the tent I made my statement to Mr. Richey. Sir L. Pelly, Mr. Jackson, and Captain Seagrave were present; also the two Khan Bahadurs and Gajanand Vithal and Balvant Rao Secretary. When I made my statement, I had received a promise of pardon from Sir L. Pelly. I had not been informed by anybody as to what Raoji Havildar or Narsu Jemadar had said. I was under a guard of European soldiers. When under guard, no one communicated with me. On the day I got a certificate, the two Khan Bahadurs and Gajanand Vithal said to me, "Tell the truth and you will get a pardon," and they showed me a book (*chopadi*) of law (*kaida*). That was all that was said to me. I have said I saw Raoji at Newsari. This was when the Maharaja went to Newsari. I saw him at the Maharaja's bathing place. The Maharaja, Raoji and Salam were sitting there. At that time it was 10 or 11 o'clock at night. I had been sent for from my lodging. The Maharaja on my arrival said, shewing me a paper, "Read this." It was Jumna Bai's complaint to the Governor; Jumna Bai is the widow of Khanderao Maharaja. She is at Poona or thereabouts. I read it and took a copy of it. The paper was given back to Raoji. He took it back with him. I made a copy of it by direction of the Maharaja. I was used to read papers to the Maharaja—Maratha papers. They were private *yads* or papers received from the private department. The private department accounts were kept on separate pieces of paper, not in books. I was in the habit of taking a *yad* or receipt* from the person to whom the Maharaja used to direct me to make a payment. I used to make an endorsement in my handwriting to the *yad*. I did so before the receipt (*bharpai*) was taken. Before making the payment I got the Maharaja's sanction. I got his sanction orally. The paper shewn me is one of these *yads*. It bears my endorsement.

* *Bharpai*.

Paper shewn to witness. Translation read by Mr. Scoble. Document recorded as A L.

SERJEANT BALLANTINE OBJECTS TO SUCH DOCUMENTS BEING ADMITTED. THE PRESIDENT RULES THAT AS THEY SHAW A COURSE OF BUSINESS AND PAYMENTS BY OR ON BEHALF OF THE MAHARAJA, THEY CANNOT BE CONSIDERED IRRELEVANT.

It is here written generally "paid for articles." The names of persons to whom specific items are to be paid are entered. My endorsement follows. I point it out on the back. It begins, "In accordance with the above memorandum." Then follows the receipt. A *rozkiirdi* (daily account) and *talebands* both monthly and annually also were made. The daily account was kept on loose sheets. It shewed the amount credited and disbursed during the day. The monthly account was kept on several sheets of paper stuck together. The yearly account was written on several loose sheets stuck together. I don't know if the yearly account relating to this *yad* has been made or not. Balvant Rao used to keep the daily journal. I simply put on my endorsement. Balvant Rao did the rest. I don't know the pay of Eshwant Rao. Eshwant Rao's pay was not in my private department: it was under the *Padnis*. Salam was not paid in my department. I have paid money to Eshwant Rao and Salam out of private money in my charge. That *yad* refers to it. But I have not paid them for wages. As to goods brought from Bombay referred to in the

Witness looks at Exhibit A 1. *yadi*, no goods were received. This statement was made because payments were to be made to persons here. Servants employed at the Residency were meant. If payments were for goods, the Maharaja directed them to be entered accordingly: but if the payments were for such persons, the Maharaj directed entry in this manner. If for goods, the entry was made like this, but the merchant's name and particulars of the goods received were entered.

This is another *yad* from my Khangi records and bears my endorsement. It shows a payment of Rupees 18 to Eshwant Rao. A document shewn to witness, dated 29th November 1873, and recorded as B1. It professes to relate to goods received from Ahmedabad and is like the last. It contains neither the name of the merchant, nor particulars of the goods. The next paper shown me is one of these *yads* and bears my endorsement.

A document is shown and recorded as C1, dated 6th December 1873.

The next is one of these *yads* and bears my endorsement; it is for Rupees 300 for goods brought from Ahmedabad for Eshwant Rao and paid to Salam. Salam received money. We got no goods. Another document shown dated 9th December 1873, and recorded as D1.

This is another *yad* with my endorsement. I have seen all these. They are all from my private dufter and bear my endorsement. One of these relates to fireworks brought from Bombay by Salam. He never brought any. Eshwant Rao in Ashwin or Kartik of last year brought some. In Paus S udh 1930 no fireworks were brought by Eshwant Rao or Salam. No fruit was brought by Salam from either Bombay, Ahmedabad, or Poona. The persons who used to bring fruit and fireworks for the Maharaja are different persons, and there is an account in their names. The fruits were entered in the *Sillekhana* or the private department. There may be a separate account for Salam for fruits, but without seeing the *yads* I cannot say. All the sums entered as paid on these *yads* were paid to the persons mentioned therein and the receipts therein, entered. The payments were made by the Maharaja's directions. The payments were entered as for goods from Bombay, fruits, and fireworks, by the Maharaja's directions.

Another document shown, and recorded as E1.

Other documents put in witness' hands.

The above documents are recorded as F1. to Q1., both inclusive.

BARODA,
8th March 1875.

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XLI.—DAMODHAR TRIMBAK RECALLED

EXAMINATION-IN-CHIEF

By MR. SCOBLE:—I spoke of two occasions of getting diamonds. The arrangement was made according to the Maharaja's instructions through me. I asked the Maharaja if the money for the diamonds should be paid. He said yes. I arranged for the payment. Nanaji Vithal has the lighting department in his charge, and some money had been received by him as kaser (savings). He had those monies,—not me. The amount of money from savings was

Document shown.

Mr. Scoble reads translation of above document. The original is recorded as R1.

relating to saving, and it is

Document shown. Mr. Scoble reads translation. The original is recorded as S1.

Document shown. Translation read, and original recorded as T1.

credited. This is the yad received from Nanaji Vithal. It bears my endorsement that it should be credited. It was entered as paid for a feast to Brahmans on account of Swami Narayen. Besides the Rupees 1,706 there is another yadi also this shewn me, and bears my endorsement. Besides the sums thus credited to nuzerana and the other account, I say from looking at the paper now shown me, that it is the order relating to the above feast to Brahmans, and it bears my endorsement. It was written in the yad that the money was paid for the feast to Brahmans, but it was really paid to Nanaji Vithal under the general instructions of the Maharaja. I asked the Maharaj if the money due to the jewellers was to be paid. He said "Yes." It was my business to see out of what balance it should be paid. I entered it as paid to Rameshwar—in reference to the two packets I mentioned yesterday. Q.—But if it was paid to jewellers, why enter it to the Brahmans' feast? Because the money paid for the diamonds was not to be credited in the jewel account. Q.—Why not? The Maharaj first of all said "Enter these diamonds as for medicine for making dust of them, reducing them to ashes." Accordingly an entry to that effect had been made in the jewel department. Afterwards when there was a noise (report) about the poisoning of Colonel Phayre, then I asked the Maharaj, with regard to the entry of diamonds credited as reduced to ashes, whether diamonds could be reduced to ashes. The Maharaj said they could not. On that occasion I asked "What am I to do with the entry made to the effect that they were for medicine and for reducing to ashes?" The Maharaja then said "If the entry has been credited, tear it up, remove the paper." I told Nanaji Vithal to remove it if that was the case. He did so. Therefore the amount was entered as paid for Swami Narayen. Q.—Did you report this to the Maharaja? A.—I had received once for all an order that on such occasions I might assign any reason I liked. I said yesterday that I twice got arsenic from Nurudin. No money has been paid for the arsenic. Nurudin was promised the business of the Sillekhanah. After the report (noise or rumour) he asked me for Rupees 200. By Sillekhanah I mean the dispensary. By the report I mean the rumour about the poisoning. He said "The Borah in the Camp wants that money." By Camp he meant the Camp of the Residency. Nurudin came to me to the Palace (*wara*). Q.—What took place?

(MR. SERJEANT BALLANTINE OBJECTS. THE PRESIDENT RULES THAT THE CONVERSATION MAY EXPLAIN THE ACT.)

Nurudin said "I brought that arsenic from the Camp and gave it. The first packet had not been entered, and the second packet had been entered in the name of Khangiwalla," that is, myself (the witness).

By SIR R. MEADE:—He meant entries in the shop of the Borah in the Camp.

By MR. SCOBLE:—He said that the Borah in the Camp had told him that his books had been seized and taken to the Residency. "If you wish that name which has been entered to be concealed, pay me two hundred rupees." I said to Nurudin Borah "Pay the money out of your pocket, and then the amount will be allowed to you in the Sillekhanah business, which it is proposed

to give to you." Nurudin said nothing to this. I did not see him after. Nurudin did not tell me the name of the Camp Borah. Yesterday I said I saw Raoji only once, *i.e.*, at Nowsari. I did not see Raoji at the Haveli in Baroda. I heard that Colonel Phayre was suffering from a boil. I heard that in the month of Bhadrapad (September) last year. I don't quite remember. Salam mentioned it to the Maharaj. I was then present. Salam said "Colonel Phayre has got a boil on his head of this size," pointing with his fingers, and that he used to get Raoji to apply a plaster to the boil, and that Raoji had put some arsenic on the plaster—a pinch of arsenic, and that after the plaster was applied, the Sahib felt a burning sensation, in consequence of which he took it off. I heard that. I don't remember the Maharaj saying anything to that. I remember about arsenic to be given to Salam as medicine: after that, eight or fifteen days after or before this conversation. It was about that time. The medicine about which I received order was to be prepared by the Hakim. The Maharaj said "Send to the Hakimji large ants and serpents and the urine of a black horse." If the Maharaj said anything more I don't remember it now. I gave orders to have these things brought. These articles were ordered to be sent to the Hakim. I afterwards got a small bottle from the Hakim. Gujaba brought me this. It is the one I described yesterday. I said yesterday it was a small bottle, and that I put the contents into a bottle which had contained attar. I don't recollect if the bottle Gujaba brought me was stopped by bees-wax, or by a stopper. I fastened the bottle which I gave Salam with cotton and bees-wax. It was a glass bottle. I know the Maharaj received information of what passed at the Residency. Notes used to be sent by Raoji to the Maharaj through Salam. I know this, because the Maharaj used to direct me to read them. I did use to read them. After having

Four bundles of vernacular papers read them to the Maharaj. I used to tear them up. shewn witness. The four bundles shewn me are *rozkirdies* (daily journals) kept at the place where I used to work. There are four in my hands. One is for the 11th Shrawan Wad (6th September, Sunday). I find an entry of Rupees 119-8-0. Part thereof is obliterated with ink. I did not pour the ink over that entry. A karkoon did by my orders. The name of the karkoon to whom I gave the order is Balwant Rao, son of Raoji. The reason for my giving this order is as follows: In the entry it was stated generally "Goods in the name of Salam," and there was no yadi of particulars of the articles. Therefore as there might be some enquiry after the report of the poisoning, I directed that ink should be poured over that part.

THE PAPER WITH THE OBLITERATION IS RECORDED AS U1.

Exhibit P1 is shewn to witness.

The entry in P1 relates to the entry which bears an obliteration.

In the paper shewn dated Jesht Wad 9th (= 8th June 1874) there is an obliterated entry. The reason of the obliteration was that Salam's name was entered there. It relates to Rupees 1,000 paid to Salam.

Paper shewn and recorded as V1.

Exhibit N1 shewn.

The paper shewn me is the yad relating to above item.

The next paper shewn

Rozkird shewn, and recorded W1.

me is another of these rozkirds. It is dated 8rd Ashwin Shud (= 13th October 1874). It has a partly obliterated entry over Salam or Eshwant's name. I can tell by looking at the yad.

Q1 is shewn

The paper (Q1) is the yad in question. The obliteration was made by my orders for the same reason.

The next rozkird shewn me is Ashad Wad 3rd (= 2nd July 1874). The amount is Rupees 298-12-0. The yad shewn me relates to the entry which bears the obliteration.

Rozkird shewn, and recorded X1.

Exhibit O1 shewn.

I don't remember what day it was I gave the order to obliterate the entries after the report had spread at the Residency.

When money was paid to give a feast to Brahmans, the person receiving the money gave a receipt for it.

Receipt shown to witness under an order for payment, recorded as Y 1. The paper shewn me is such a receipt. It has an endorsement of mine. Similar documents were always given in such matters.

If this* were an order for feeding Brahmans, the signature of Rameshwar should be on it. I ordered obliterations, because something must be done in order that the items might be altered as they were simply "articles" in the name of Salam without a yadi of particulars.

* Exhibit T 1 shewn.

CROSS-EXAMINATION BY SERJEANT BALLANTINE:—All the accounts were not fictitious,—only portions made up for the purpose by the Maharaja's directions, given as there were occasions. I mean the Maharaj knew the occasions. I asked his permission. All I did was under his orders. If I had been accused of theft, I could produce the rozkird, four books, the receipt, the man who received, and the man who paid. By such orders of the Maharaj lakhs of rupees have been expended in the last four years, and when necessary, accounts falsified. I did the falsifications when directed by the Maharaja. The papers and receipts contain the orders to justify what I did. Except with the Fudnis (an official) there are no written orders. I have no authority in the Maharaja's handwriting. There are papers signed by Lakshmi Bai, the third wife of the Maharaja. She signed under the Maharaja's order. During the four years the Maharaj never signed any papers belonging to my department. There being entries in five places, I could easily defend myself with them. The general or annual statement was once signed by the Maharaj. You could get it if you like. It is under attachment. Before the attachment there was nobody but the Maharaj to examine my accounts. After that attachment the Police shewed the papers and said enquiry was to be made. They shewed me the papers on which ink has been poured. My pay was Rupees 200, and my brother's pay Rupees 400 a month. I was arrested on the evening of the same day as the Maharaj. I had heard reports about Raoji and Narsu and others being examined. If I got any information I used to tell the Maharaj. Why should I have personal interest? I had assisted in the attempted murder. I have an interest to save the Maharaj and myself. There being an attachment I must be saved now. I used to hear reports from the town. When Salam was at large, I heard directly from him. I did not when at large hear about Raoji's bottle. Nobody told me that he had received a bottle. I heard about powder put into Colonel Phayre's glass, and that it was arsenic and diamond dust. I heard that Raoji confessed to the attempt to murder Colonel Phayre, and I told the Maharaja. The entries were made in five places, and therefore could not be destroyed. I know they related to my own acts as to the poisoning. All except two related to the bribes. I did not know there was an enquiry going on about the bribes. I swear I did not know when Mr. Souter was enquiring about them. I could not destroy all the papers as they were at different places. The papers at the Javerkhana were only one: that was caused to be destroyed. I could not have destroyed those shewn to-day; there being an entry by the Treasurer. There is a general day-book, 3rdly, a memorandum and receipt endorsed upon it, and after all that the journal now shewn is prepared. After that a monthly statement is prepared and sheets stitched up. Therefore to destroy so many papers in so many places would be difficult. If given in one month only, the papers might have been destroyed. The memoranda (yads) are on separate pieces of paper. If the money had been paid in one month, or at one time, the papers might have been destroyed. There was no opportunity to destroy papers in so many places: there was no help for it. People who poison are punished. I don't know what punishment is provided by law. It is whatever the Judges please. I have not seen that they hang for poisoning at Baroda. I did not destroy these papers as there was no convenience (suwad or opportunity). I could get the papers if the Maharaj desired me. The

papers were in my charge. At that time I was not aware that there would be an attachment, or that this time would come. I have no other reason for not destroying them. The ink was used to obliterate parts, because there were no particulars of goods to hide matters connected with Salam and with these transactions. I had orders to give, and I told the karkoon to do as he could conveniently. In order to prevent the Maharaj being accused, and to prevent this proof not being found, this thing was resorted to. I have not invented the story of these papers with a view to accuse the Maharaja.

By SIR DINKUR RAO:—Q.—The papers, as they stood, did not accuse the Maharaja. Had not your pouring ink on them the effect of implicating the Maharaja? A.—The Maharaja told me to make an arrangement, so I poured ink.

CROSS-EXAMINATION:—It did not occur to me at that time that these great pieces of ink on the papers would draw attention to them. Now I feel from the consequence that it was folly to pour this ink on them. I did not expect an attachment (*japti*); I did it to prevent the matter going out. I would not have got out of the jail unless I had made a confession of some kind. I was first put under a European guard, and for two days was kept in the Senapati Cutcherry. My companion was a sepoy. I mean two days and two nights. I used to sleep there where I used to sit. A sepoy watched to prevent me running away. Thence I was brought to the Residency, and was sent to a room guarded by soldiers. After 16 days, when I made a confession, I was sent to the Police. They send me here with a sepoy and to the tent, and I get up and sit down as they tell me. I am still in charge of Police sepoy, changed every four days. I don't know their names. I don't know what will happen to me when this is over. That depends on what the Judges say. I am guilty having confessed: if they like they will release me; if not, I must hear their sentence. If they don't believe me, I shall be punished: if they do, I shall be released. I have a certificate of pardon. There were as many plots to poison Colonel Phayre as are stated in my deposition. I gave these five things,—four tolas arsenic, two tolas diamond, and one bottle: if there was anything more, I don't know. By physician's stuff I mean serpent and ants and horse's urine. That

* As to attempts by physician's stuff, poison in a plaster and arsenic.

may have been the first or second attempt. I don't remember which. I made a statement to Mr. Richey detailing the attempts as now read out to me (from* deposition). The physician's stuff was brought in the bottle by Gujaba, and transferred to the attar bottle. I can't remember the date. I did not know of the attachment and certificate of pardon in the future. If I had, I would have written dates down. It may have been in Ashwin (October 11th—November 9th). I am sure it was in that time. I don't remember how long before Divali. I can't say if it was one week or two weeks before Divali,—it may have been longer. When I gave this bottle I knew perfectly well it was for poisoning Colonel Phayre. I don't remember the day within a week. Asadh had passed two months before. I don't know what August is. Q.—Was it within Asadhwad and Shravan or Shudh? A.—No. Q.—Or within Shravan or Bhadrapad? A.—The first note written to the Foujdari was Bhadrapad Wad 9th (=4th October 1874). Since that day all this occurred, i.e. between Bhadrapad Wad 9th and Ashwin Wad 15th (=9th November). Arsenic could be had only through the Foujdari. I don't know whether arsenic could always be had on the order of the Maharaj. With the Maharaja's permission it could be had. Hormusji Wadia said he would give it after asking the Maharaj. The Maharaj had told me to bring arsenic. He had not issued order to the officer himself. He did not give an order, but told me to get it, and that it was for a horse. I last saw Nurudin after I was in confinement; he was confronted with me once. I don't remember how long ago. I have not seen him in the last two or three days, not in the last week. When he was confronted with me he did not say anything as to whether I told lies; but I told him I had given all in writing. I said to him "I have admitted I bought the arsenic from you." He did not in my presence say

anything, nor whether it was lies. He was taken away by some officer. I don't know who. I don't remember if it was Akbar Ali or Abdul Ali. How can I remember now? It was not Gajanand Vithal. I don't remember; it might be Akbar Ali or Abdul Ali. I said before him I had bought arsenic from him. I don't remember where he was taken to. Gujaba was brought before me—not by Akbar Ali, but by Gajanand Vithal. I told him I had told all about him. This was when he was sitting. He was also sent back. I have said I gave a bottle to Salam. I knew it contained poison. Gujaba brought the bottle by permission of the Maharaja to my house. I was with the Maharaja's procession. I got down, went to my house, and gave the bottle to Salam. When I gave it, the Maharaja was not present. I said, when giving it, "Take this to Raoji." It was not necessary to say what Raoji was to do. I did not say what he was to do. I knew what it was for. It was to be put in water to cause blisters on the body of Colonel Phayre by throwing it into his bathing water. I did not hear; I don't know if it was done or not. I gave the bottle two or four days before or after the Dassera. I never heard from anybody nor asked what became of the contents of the bottle. Whenever there was business Eshwant Rao used to come to the Palace on Mondays and Thursdays. Salam used to come for the procession, and if notes were to be brought, he used to come. I never asked Salam what had been done to Colonel Phayre. with the contents of the bottle. I had no curiosity.

RE-EXAMINATION BY MR. SCOBLE:—I said the accounts were in five places. They were as follows: The order of the Maharaj, an oral order, to give money to certain persons. On this a *yad* is prepared. Then the Karkoon and the man who receives the money go to the treasurer with the *yad*. The treasurer has a small book, and the item is entered there. When the money is paid and received it is entered into the *rozkind* (daily account). From that rough *kird* the fair daily account shown to me is made. From the fair daily account the monthly account called *talebund* is prepared. From twelve *talebunds*, an annual account is prepared called *jharte talebund*. Every transaction passing through my hands would appear in all these. Thus any mistake can be detected back. During the last four years lakhs of rupees were paid by the Maharaja's orders. All his private accounts passed through my hands. I never received a written order from the Maharaja for any money during the four years so paid before. On one *talebund* alone the Maharaj had signed. The Maharaj did not sign orders about expenses made daily. He only signed one monthly *talebund* in my time. I mentioned one paper from the jewelry department which was torn up. It related to money expended for diamonds debited as expended for medical purposes. Before my arrest I had heard that Raoji had confessed and stated particulars (*khalasa*) and had got a certificate. After my arrest and before the time of my confession I had not become aware of the particulars of what Raoji and Narsu had said. My statement was taken down in English, and by a karkoon in Maratha.

Maratha deposition shown taken by Mr. Richey before Sir Lewis Pelly, recorded as Z.1.

I at that time read the statement taken down in Maratha. It was correct and I signed it. This is the deposition, and it has my signature.

BARODA; }
9th March 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

XLII.—HEMCHAND FATECHAND STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. INVERARITY.—My name is Hemchand Fatechand. I carry on business as a jeweller at Baroda. I know Nanaji Vithal day and night. He is in the Gaekwar's service. I took no jewels to him. Last Dassera I took none, nor about that time. I never took any diamonds to Nanaji Vithal

Not lately. But I did about last Dassera. Nanaji Vithal said, "Bring some diamonds." I took some, but they were given back to me. I took them from our house to Nanaji Vithal. They were returned. I did not take them there a second time. I did not any other time go to the Haveli with diamonds. I never did so after that. Nanaji Vithal purchased no diamonds from me about the time of last Dassera. I never received any money from Nanaji Vithal in payment for diamonds. I received from him a sum of money in the last Kartik—Kartik Margasir—which he owed me. I know Venayekrao Venkatesh. I took him some diamonds to the Haveli on the 7th or 8th of Aso Wad (= 31st October and 1st November). He is the brother-in-law of Nanaji Vithal. He is employed at the Gaekwar's jewel office. I took these diamonds to the jewel office. I took the diamonds by Venayekrao's directions. On that occasion I took two packets of diamonds to Venayekrao. They were not bought—neither of them. They were rose diamonds (*bilandi*), 6 or 7 to a rati in weight. They were not very small nor very large. Nanaji paid me some money. It was on account of my dealings (*len-den*). I had given a *handi* (bill of exchange) for Rupees 7,000 to Sivchand Kushalchand at request of Nanaji Vithal. I received the money in payment of the *handi*. I got one sum of Rupees 2,000—another of 4,000, another of 2,000—another of Rupees 2,000. I received total Rupees 10,000. There were some other dealings also. The diamonds which I took to Venayekrao I gave back to the merchants who came to me to sell them. When I took the two packets of diamonds to the Haveli Damodhar Punt was not present. I did not see him. I never sold any diamonds to Damodhar Punt, nor to Venayekrao nor to Nanaji Vithal. I remember Mr. Souter examining me. MR. SERJEANT BALLANTINE OBJECTS TO MR. INVERARITY CROSS-EXAMINING WITNESS AS TO WHAT HE SAID TO MR. SOUTER. THE PRESIDENT RULES THAT THE QUESTION MAY BE PUT TO REMIND WITNESS OF A PREVIOUS STATEMENT. My deposition was written down in Gujarathi. It was reduced to writing in the evening and I was made to sign it. It was not read over to me. I did not acknowledge that what was written was true. I was forced to sign it. I did not acknowledge anything. I did sign it in presence of Sir Lewis Pelly. Gajanand Vithul said to me—"Don't speak; sign it." It was not read to me in presence of Sir L. Pelly. In his presence I did not say that it was true.

Deposition shown to witness.

Q.—Is that your signature? A.—This signature does not appear to me to be mine. It is not mine.

THE SAME QUESTION IS REPEATED AND SIGNATURE POINTED OUT. It is my signature.

Q.—Read the three lines above the signature. MR. NOWRAJI, THE INTERPRETER, READS THE GUJARATHI THREE LINES AND HANDS THE PAPER TO WITNESS. Are those three lines in your writing? A.—They are my handwriting.

Q.—Show him the signature above those three lines. Is that signature your handwriting? A.—I have seen it. It is my signature. At the time I put my signature, great *zulm* (oppression) was used on me. I was confused and I was made to sign. I can read Gujarathi. I can't make this (the deposition) out well. I can make out part here and there, *e.g.*, the name *Flemchand Fatechand*. I can't read this document so as to understand it. (The part beginning "A few days after the last Dasera festival Nanaji Vithul directed me to bring some diamond chips which we did.") I did not make this statement to Mr. Souter. They caused him to write what they liked. By "they" I mean Gajanand Vithal. All that has been read out to me is false. I never said anything of the sort when I was examined by Mr. Souter. (Another extract read about Nanaji asking witness if the diamond chips had been used, and about witness substituting pages in his books after the rumour about the poisoning of Colonel Phayre). I did not say to Mr. Souter what has just been read to me nor anything like it. My books have been detained there for a month and a half.

Books shown to witness.

Q.—Are those the books you produced before Mr. Souter? A.—Yes, these are my books. I did not point out to Mr. Souter any entries in these books. Q.—Did you tell him that

certain entries would be found on certain pages in these books? A.—I did not say so. (Extract about the price of diamonds being Baroda Rupees 6,270,—and about entry of Rupees 3,000 credited at pages 10 and 24.) I did not say that to Mr. Souter, nor anything like that. No part read out to me of the statement is true. Since I made my statement to Mr. Souter I have been living at my house in the city. I have had no guard of any kind placed over me. I point out my jangad book (book of goods left with customers for approval). This is my jangad book for Samvat 1930. (*The calendar shews that Samvat 1930 ends on the 9th November 1874.*) I point out two entries in my Entry pointed out about Rs. 2,770. *hand-writing.* Gajanand Vithul forcibly caused me Second entry pointed out about Rs. 3,500. to make this entry. I wrote this second entry at desire of Gajanand Vithul. Gajanand made me write one on the day in which it rained in a tent, before I made my statement to Mr. Souter. Q.—How many days before? A.—I wrote these entries on the same day in which at evening I made my statement to Mr. Souter.

BARODA; }
March 9th, 1875. }

(Sd.) JOHN JARDINE,
Secy. to the Commissioners.

No. XLII.—HEMCHAND RECALLED:—

BY MR. INVERARITY.—This entry is in my writing. I wrote it together with the preceding entries. Gajanand said—"Write this entry in order that the other entry may not prove false."

Book shewn to witness and marked by the Secretary. The book is un-paged.

The entry is read about—one ruby finger ring* Aso Wad 14th (= 7 and 8th November 1874.)
*Taken by Dool Patmanand Naran-
ji for wearing price Rupees 21.
t= Aahvin.
The book is now mark-
ed as A2.

CROSS-EXAMINATION BY SERJEANT BALLANTINE.—Read entry shewn yesterday Debit to His Highness Mulhar Rao Delivered to Damodhur Punt

personally. Diamonds belandi.

Aso Wad 14th:—

300 in number, 69½ rutties, at Rupees 40 per rutie	...	2,770
Diamonds bilandi, 250 rutties, 70, at Rupees 50 per ruttie	...	3,500
	Total	6,270

Returned purub diamonds coloured weighing 44½ rutties at Rupees 35 per ruttie.

The bilandi and other diamonds are different varieties. Bilandi diamonds sparkle. Bilandi diamonds are thin and brilliants are thicker. Gajanand caused that item to be fabricated. About that time I had no dealings about diamonds with the Maharaja or on his account.

There are items of dealings in these books relating to the Maharaja. I have not supplied any diamond chips to any body. I know diamond dust to be small diamonds. I don't know diamond "lot." I never saw diamonds reduced to a powder. I was not examined (*zabani lidhe*) before Mr. Souter, but I was examined on two or three occasions. I don't know Mr. Souter (*Mr. Souter is pointed out to witness in Court.*) I was examined before two or three Sahebs. First of all I was examined before the Police (*zabani lidhe*), and then I was taken by the Police before two or three Sahebs. As to the signature I gave it before Gajanand and Sir L. Pelly. I had in the first instance been made to give my (*zabani*) deposition, and my signature was taken to it before. Gajanand sent for me and said—"Put your signature, say

nothing; if you don't I will imprison you." My signature was taken in presence of Sir Lewis Pelly. I have already said I was threatened. Q.—Did you give your evidence before Sir L. Pelly or had you given it already before Gajanand? A.—Gajanand made me forcibly sign my deposition, and I was afterwards made to sign before Sir Lewis Pelly. I was made to sign what had been written by Gajanand. Gajanand wrote down what he liked. It was not read over to me. Gajanand told me I would be sent to prison if I did not sign. I have been annoyed every day till now. Sepoys seize me and bring me up every day and detain me. I have not seen Gajanand since. I was up here to give evidence. I have not seen him since yesterday. I saw him yesterday before giving evidence. He said—"an item of debit and credit of diamonds to the amount of three lacs has been made in your name which is false." He said nothing else. I did not see him yesterday after giving my evidence. I went home then.

MR. SERJEANT BALLANTINE READS FROM THE ENGLISH DEPOSITION MADE TO MR. SOUTER BEGINNING AT THE PLACE "A FEW DAYS AFTER IT BECAME KNOWN * * * TO POISON COLONEL PHAYRE." I have not sold diamonds nor has Nanaji come and asked me those questions. (Reads—"On hearing this I * * * substituted.") As to above I do not know anything about that matter. (The Interpreter from the Gujarathi reads—"The books which are now marked A B and C I produce." No question asked.) (Serjeant Ballantine reads the sentence about Rupees 6,270 and payment to witness of Rupees 3,000 received from Nanaji Vithal and (as the Gujarathi is translated) credited to Shivchand Khushal.) Q.—Look at pages 10 and 24 of your (*rozmel*) day-book. A.—Here is page 10. Q.—Is there any item of payment received? A.—There is a receipt of Rupees 2,000 from Nanajee Vithal (*Gharthi*.) It was on account of a *hundi* (bill of exchange) given by me. Q.—Look at page 24? A.—Yes. There is an item of Rs. 2,000 from the district called Dumala received from the karkoon employed, on account of money due to me for the *hundi* (bill of exchange). Q.—For Nanaji Vithal? A.—It was for the bill of exchange given by me on Shivchand Khushal. The paid bill of exchange has been received and is in Gajanand Vithal's possession. He caused me to give it up to him. There are three hundies. Gajanand Vithal

Document shown to witness. Bill of exchange for Rs. 750.

Two other documents shewn him.

has all my papers—12 of my books and 8 paid bills of exchange. This is one of those bills. There is a payment endorsed on it in the Deccanee letters.

Here are the other two,—one for Rs. 3,000, and the other for Rs. 4,000. Total Rs. 7,000. The items pointed out just now in my books were received in part payment of these three hundies.

(The Interpreter says one is dated 10th *Asadh Shudh*, Wednesday, without any year, and is for 3,000 rupees.

Another for 4,000 rupees, dated Tuesday, 9th *Asadh Shudh*, without any year.)

RE-EXAMINATION BY MR. SCOBLE:—I point out that the Samvat 1930 occurs on both bills for 4,000 and 3,000 rupees. (The Interpreter reads the date of the other for 750 Rupees as *Kartik Wad 30*, Samvat 1931 (= 8th December 1874). Q.—About Aso Wad 14th, when the entries of Rupees 2,270 and 3,500 were made, you had no dealings in diamonds with, or on account of, the Maharaj? A.—Not with him nor on his account. Q.—Look at the first item on the page in question, and say whose hand-writing it is? A.—I do not know the name of the Gumastha in whose writing it is. It is not in the handwriting of one of my Gumasthas. Any one who comes to my shop may write entries. It is a genuine entry. It refers to brilliants (*billian*). It is dated 13th Aso Wad of last year. (The calendar shews = 6th November 1874). (The Interpreter translates the entry about a brilliant headdress of brilliant diamonds. Total Rupees 28,000).

Q.—Now look at the entry above that, on the previous page. Do you see

Debited to the account of Shri-
mant Sirkar Mulhar Rao Gaekwar,
Aso Wad 13th. By the hands of
Nana Sahib, who has given his signa-
ture, Rupees 28,000. One *venan*
(female head-dress) made of brilliant
diamonds.

Entry about *tangman* (necklace)
Rupees 27,000.

Debited to the account of Shri-
mant Mulhar Rao Gaekwar for
Rupees 1,800, one pearl nose-
ring.

or Nanaji Vithal by me. My Gumashta was in the habit of taking ornaments
and delivering to which ever of those two might be present. I don't know to
whom or on whose account they were received. It might have been thrown
away. As to the sale, it was sold to the Sirkar and delivered to Nanaji Vithal.
(The Interpreter translates the entry.)

Q.—Is not that book full of transactions about diamonds and ornaments
sold by you to the Gaekwar in 1930? A.—What occurred is therein entered.
There are many items.

Q.—Was not your evidence written down by Mr. Souter? (MR. SOUTER
STANDS UP AND WITNESS LOOKS AT HIM.) A.—No, not that I remember. I
don't remember him asking me questions in Hindustani, how could he if I gave
no answers? I don't know. I don't understand Hindustani.

Q.—Or Mussalmani? A.—What's Hindustani or Mussalmani? I under-
stand Gujarathi. I do not understand Hindustani What sort is it?

Q.—Was not the first part of your examination yesterday conducted in
Hindustani? A.—Hindustani! I understand Gujarathi.

(DEPOSITION BEFORE MR. SOUTER IN GUJERATHI SHEWN.) Q.—Where did
you write those three lines above your first signature? A.—I was made to write
them at the bungalow of Sir Lewis Pelly—in presence of Sir Lewis Pelly. I
did not tell Sir L. Pelly about Gajanand practising *zulm* upon me. I did not,
because I had been threatened. I made no complaint before Sir L. Pelly. Gajanand
said, "You should give your signature, as we ask you to do. Don't raise any
objection there about it." From 8 A.M. till 8 P.M. I was not allowed to get
away. At one time I was kept in the Resident's bungalow, and at another near
some trees near Gajanand Vithal's house. Even last night at 8 or 9 o'clock
three sepoy's came to my house and told me to go to the Fouzdar. I was not
at home; my gomashta was taken to Ramchandar Fouzdar. He sits at the
mandai in the city. I have only once been taken to the Residency. Every day
I used to sit at the trees near Gajanand Vithul's house, daily for the last month
and three-quarters. I was released a day before the assembling of this
Commission.

Q.—Look at your (*jangadnond*) account book. Have any new leaves been
put in since you first made it? A.—I put no new
Account book shown. Exhibit A2. ones in, nor took any pages out, nor caused either
such things to be done.

Q.—Have any pages been put in or taken out? A.—Seven or eight leaves
(*pan*) appear to have been removed. I point out the place. Old leaves appear
to have been removed and new ones put in. [THE INTERPRETER SAYS THEY
ARE THE TWO LAST LEAVES IN THE BOOK.] [THE WITNESS LOOKS AT THE PAGES
WITH ENTRIES MARKED BY THE SECRETARY AT BEGINNING OF THIS DAY'S EXAMI-
NATION.]

Q.—Is that page about the ruby ring a substituted page? A.—It has
been used fraudulently (*daghalbazi malum padeche*). I can't say whether the
page is new or old. These pages appear to me to be new, and the item to be a
fraudulent one.

Q.—Take these two hundies of Rupees 3,000 and 4,000. Who are they drawn by and on whom? A.—They are both drawn on Hemchand Fatechand of Bombay. That is my firm at Bombay. They are drawn by Fatechand Somchand (javedi) jeweller. That is my firm here. They are drawn in favour of Shivchand Kushalchand of Poona. Shivchand is a jeweller. Shivchand had sold some goods to Nanaji Vithal for his own purposes, and these hundies were given for them. Nanaji Vithal caused me to draw these bills of exchange—not in full payment. A balance of Rupees 100 or 150 remains, a small balance. Both of these hundies have been paid by my firm in Bombay on account of or to Shivchand Kushalchand. Both are dated Asad Shud. I have not given any hundies except these two in favour of Shivchand Kushalchand. I have entries in my books of payment of these Rupees 3,000 and 4,000. Give me my *nond*. [AN ACCOUNT BOOK IS GIVEN INTO WITNESS' HAND.] My ledger account may give the page of the *nond* (day book) [WITNESS GETS HIS LEDGER]. I have found it [WITNESS POINTS OUT AN ENTRY DATED JESHT WAD 12TH AND JESHT WAD 13TH FRIDAY.] Debited to account of Shivchand Kushalchand of Poona two hundies, written and delivered at request of Shetjee for Rupees 7,000 on Bombay, at 19 Rupees and a half and 2½ annas. Drawn on Hemchandbhai Fatechand drawn from here by us. Payable immediately. Drawn Asad Shud. [The Interpreter says Jesht Wad 12th and 13th = 11th and 12th June 1874.] My account amounted to Rupees 10,000. I received Rupees 10,000 on these two hundies, with the exception of a small sum. A hundi was given to Nanaji Vithal's brother-in-law, Venayek Venkatesh, and the money was paid in cash, i. e., Rupees 400 or 500 in cash.

Q.—How much exactly? A.—I must refer to the account (*khata*). The new ledger has not been posted. This hundi shown me is the one given to Nanaji's brother-in-law. I have it entered in my book to account of Shivchand Khusalchand. This was because Nanaji Vithal was owner of that account.

Hundi shewn for Rupees 750, dated Kartik Wad 30th Sumvat 1831 = 8th December 1874.

Q.—Show it? A.—The new ledger has not been posted up.

Q.—Look at your day-book (*Rozmel*) [looks]. Here are particulars. (INTERPRETER READS AN ENTRY OF RUPEES 750 AND ITEM FOR EXCHANGE RUPEES 155-10-0 dated Kartik Wad 30th and Rupees 94-6-0 in cash. Altogether Rupees 1,000.) A.—This item is a correct entry. The hundi was given to Nanaji Vithal's brother-in-law, also the cash, not to Shivchand Kushalchand.

Q.—Look at page 10 of your day book already referred to. Do you find Rupees 2,000 credited to Shri Poonawala, and Rupees 2,000 credited to account of Shivchand Kushalchand of Poona? A.—Yes. [THE INTERPRETER READS DATE, &c.] The words (*haste pote*) "by himself" very likely mean me. I got the money in cash from Nanaji Vithal. It means me. (The Interpreter reads the date, "Wad 9th and 10th Thursday.") It means the month of Kartik, as stated earlier in the account (9th and 10th Kartik (= 2nd and 3rd December 1874 Thursday being the 3rd per calendar.) Who says Gajanand Vithal got this written? It is a genuine entry. Q.—Look at page 24. A.—The date here is Margshir Wad 10th and 11th (= 2nd and 3rd January 1875) per calendar. "The amount is Rupees 2,000 credited to account of Shivchand Kushalchand of Poona, Rupees 2,000 in ready cash. Examined coin. Received by the hands of your gomashita Kuberji who made payment from Dumala." This Kuberji is very likely gumasta of Damala Department, but is not a servant of Shivachand. There is a karkoon employed in the Dumala Mahal who used to do business for Nanaji Vithal. His name is Nanchand. He may have brought the money. The entries of Rupees 2,000 are not hundies, but cash dealings. The hundi of Rupees 750 and two items of Rupees 2,000 relate to my dealings with Nanaji Vithal, in respect to hundies of Rupees 7,000 and other dealings

and transactions. Q.—How do you make up Rupees 10,000? A.—Hundies paid Rs. 7,000, with exchange, it is Rs. 8,500, that other bill of exchange Rs. 1,000 and Rs. 400 or 500 sundry monies. Nanaji Vithal bought a necklace (*khanti*) from Shivehand Kushalchand: portions of the necklace were sold from time to time. I thus sold the value of it up to Rs. 4,000, and Nanaji himself sold Rs. 2,000, and the balance I received in cash. In order to ascertain the loss which might occur on the sale of that ornament, it was entered to the account of Shivehand, which was owned by Nanaji. I don't observe that the pages of the *rozmel and nond* have been tampered with.

By SERJEANT BALLANTINE:—I have not sold any loose diamonds of late. Q.—Is there any entry of any such sale in your books? A.—What the books state is true. I don't remember their contents exactly.

By THE PRESIDENT:—My books were seized about one month and three-quarters ago from this time. They were all seized then—12 books of mine. Until then I used them in the way of my business.

By SIR R. MEADE:—The seizure of my books occurred I think in the month of Paush. (The calendar shews Paush to begin on the 8th January), but I don't remember the day. This book (Exhibit A2) is the Jungwad book for the Hindu year Samvat 1930. It terminated with Samvat 1930.

By THE PRESIDENT:—There is an entirely new set of books for the new year. I was made to write this item (of which the total is Rupees 6,270). After this item there were originally no other leaves. Q.—Then, if they were no leaves written beyond this, what was the use of removing them and placing others? A.—I was terrified. *Question repeated*—Whether there were other pages written or not? I do not rightly remember. Yesterday, when I was leaving this place, I was desired to wait by a Police sepoy, and made to wait five or six minutes, and then I was made to wait outside the outer gate. A sepoy at the gate of the compound desired me to wait, and said "I will let you go when I receive permission to do so from Gajanand and the Saheb." Afterwards he let me go, and I went home in the evening, and sepoys came to my house at 10 o'clock at night. The sepoys had no conversation with me except what I have recounted.

BABODA, }
10th March 1875. }

(Sd.) JOHN JARDINE,
Secretary to the Commissioners.

No. XLIII.—NANAJI VITHAL STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. SCOBLE.—I am a Brahman employed in the jewel department of His Highness the Gaekwar as Superintendent of it. I know Damodhar Punt. I remember getting some order before the Dassera from him. Diamonds were required for the purpose of reducing them to ashes. I sent for diamonds from two or three persons. Three jewellers brought to me diamonds at the Haveli,—one was Ghelasha, another Pratabsha, and another Hemchand Fatechand. I kept them one day, *i. e.*, the diamonds got from Hemchand, and I shewed them to Damodhar Punt. The other two brought their diamonds the following day. Those got from Hemchand I informed Damodhar Punt of, and kept them with me. On the following day the other two persons brought their diamonds. The diamonds belonging to all three were shown to Damodhar Punt. He approved of some—those of Hemchand. Those belonging to the other two were returned. Those of Hemchand were weighed and taken. They weighed about 68 or 68½ ratics. After weighing they were given to Damodhar Punt. A yad was made about them by one of my two Karkoons. I did not see it. The Karkoon prepared and recorded it. I

gave him oral instructions. Afterwards 5, 7, or 10 days after other diamonds were brought from the same man—Hemchand—by direction of Damodhar Punt—*parab* diamonds and *bilandies*. Hemchand brought them. They were also taken. The quantity was 74, 73½, or 73¾ raties. They were brought according to Damodhar Punt's instructions and given to him. The entry of them was made on the former memorandum: the same piece of paper. The price was fixed. I don't remember it orally. What was written at the Bunia's house is correct. I remember it partly. It was a few rupees over 6,000 (six thousand). The diamonds bought on these occasions were *parab* (flat) and *bilandi* (rose) diamonds—2, 3, or perhaps 1 or ¾ to a rati. I did not weigh them separately. I did make a payment to Hemchand in respect to these diamonds. I paid him three thousand rupees on that account in two sums. They were Rs. 2,000 and 1,000 respectively. Rs. 2,000 were to be taken from Damodhar Punt. I had to pay him some money. The memoranda were prepared, and the payments made, according to Damodhar's instructions. Some *venetians* (*putlies*) were sold on account of *nuzzerana*.

Exhibit S 1 shown.

The paper shewn me is one of those yads, and bears my signature on that subject. The proceeds were to be credited to the private department. The other relates to the light department. The yad shown me is the one. I had the money of those yads in my hands. I disbursed

Exhibit R 1 shown.

Rs. 2,000. I caused a Parik to pay that sum. The Parik's name is Namchand. He is the Parik (Shroff) in the Dumala Mahal. I paid the Rs. 1,000 from my own house—in cash. A hundi was given for Rs. 2,000, out of which Rs. 1,000 was paid. I had paid Hemchand Rs. 2,000. On account of those Rs. 2,000 a hundi of Rs. 1,000 was taken from him. The other Rs. 1,000 remained with him, and on this account Rs. 1,000 were allowed him. I mean on account of diamonds. The hundi which I had taken from him was for Rs. 1,000. Some cash may have been taken, and the hundi was for the balance. I don't know whose name the hundi was in. If I see it, perhaps I can tell.

HUNDI OR BILL OF EXCHANGE FOR Rs. 750 SHEWN.

This is the hundi. Some must have been taken in cash. I don't remember if this is the hundi in question. The Rs. 2,000 were Baroda rupees. The yad on which these two transactions were written was on the records of the Karkoon Atmaram. I don't know his father's name. At the end of the Diwali Damodhar Punt asked for the yad and received them. I mean about the end of the five Diwali days. He received them from me. He took them and said, "I will tear them up." I don't know if he destroyed them or not.

CROSS-EXAMINATION BY SERJEANT BALLANTINE.—I am the Darogah of the jewel department. My duty is to take care of ornaments in the jewel-room and give them out when the Sirkar wants to wear them; also to purchase jewels. Damodhar Punt told me these diamonds were wanted to be made ashes for medicine (*avshada*). I never saw diamond used as medicine. I have not seen diamond-dust (*lot*). I have been employed with diamonds only for 4 or 5 years. I never heard of diamond-dust, nor saw it. I have been staying at Baroda in charge of the Sirkar, of the Khan Bahadur Police. From the day of arrest of the Maharaj, I have been made to sit, and I considered myself as confined. I don't know why. I have not asked the reason. I am not charged with anything. The jewel department was in my charge, and when the Raja was arrested, perhaps I was. Attachments were made at the palace and guards placed. I was sitting at the Wara 15 or 20 days, and I told about Hemchand after I came to the camp. For those 15 or 20 days nobody asked me anything. I was in imprisonment at the Wara, in Senapati's Cutcherry under a guard of *pardeshi* sepoys. Nobody came to me there. I was sent for here. Some sepoy went there: there is a Karkoon called Vishnu Punt. Vishnu Punt gave me directions; and in company with a sepoy I came in a gari to Gajanand Vithal, who asked me, "How many diamonds were purchased at the Javerkhan in the month of Ashwin?" He asked me generally, not what I

had purchased of Hemchand. I said they had been purchased. I had not heard what Narsu and Raoji had said. I was arrested on the same day as the Maharaja. I had heard nothing of these people having been examined. I know nothing about them. I never heard that they had been examined. I am speaking of that time. I did not hear of it then, not till after I came here. After the Diwali I heard that some attempt had been made to poison. At that time I did not hear that Raoji or Narsu had been examined. I knew that they were in prison. I did not know that Raoji had made a statement. Gajanand Vithal did not tell me about any statement made by them. He told me to tell the truth. I was threatened, and told that if I did not tell the truth I should know the result. I thought that meant I might on telling falsehood be put in prison. What the Sirkar may do will be felt. Whether to get out of the power of the police or not is not in my power. Gajanand did not write down my statement, but got it orally. He took me to a Saheb, not Mr. Sauter, but some Saheb who lives in a bungalow, and whose name I don't know. Pelly Saheb was then present, when the other Saheb wrote it down. I made my statement before both. I did not know of Damodhar Punt making a statement. Before going to Sir Lewis Pelly I had been 20 days in custody first and now for a month. The next Saptami will make two months.

RE-EXAMINED BY MR. SCOBLE.—The pardeshi sepoy's at Senapati's Cutcherry were Gaekwar's men. The guards were sent from here. Inside, the Gaekwar troops were under the guards. I was taken at 8 at night to Sir Lewis Pelly the same day I was sent for by Gajanand Vithal.

BY RAJA SIR DINKAR RAO.—I am Darogah of the jewel department and responsible head of it. Besides the *yads* produced no other accounts have been kept of these particular things, but such accounts are kept as a custom-in debit and credit. There is no entry in my accounts of these purchases. Damodhar Punt took away the yad. I have not a credit entry of Rs. 6,000 diamonds received from Hemchand. In our department such ledger accounts (*khates*) are not kept, and there is no voucher. Q.—Can purchases to a lakh of rupees be made orally? A.—The entry is made item by item, and details are given below. As regards other ornaments, there is a ledger account of Hemchand, but not of these diamonds, as the yad was taken away. In the accounts of Hemchand each item of the diamond is entered. In the yad what was written was "diamonds purchased from Hemchand Fatechand." Q.—In the Nagwadi yad, why was no entry of these Rs. 6,000 of diamonds made? A.—A paper has to be prepared at the end of the month. Q.—How can a Saukar's account be kept without entering weight, price, and number? A.—At the time of making payment a yad is prepared in the Khangī (private) department, and that yad specifies weight, price, and particulars. In the Javerkhana here vouchers will be found from of old. How can I say if a Saukar's book, or my oral statement shall be considered weighty? Whether my yad is true or false is to be judged by the state of mind of the Sirkar.

BARODA, }
March 10th, 1875. }

(Sd.) JOHN JARDINE,
Secretary to the Commissioners.

NO. XLIV.—ATMARAM STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

BY MR. INVERARITY.—My name is Atmaram bin Raghonath. I was Kar-koon in the Gaekwar's jewel department, whereof Nanaji Vithal was chief man. Last Diwali diamonds were purchased. About 8 days before the Diwali diamonds were brought by four merchants. The name of one was Hemchand Fatechand. I think Ghela Hemchand was another, but am not sure. Pratabsha was another. These diamonds were brought by the merchants into the room of the Jāmdar-khana. I mean the Javerkhana (jewel-room). Afterwards those of Hemchand

were purchased; those of the others were to be returned. Nanaji Vithal has an assistant, a Karkoon, named Venayek, who wrote some entry about the purchase from Hemchand. I mean Venayek Venkatesh. It was kept in his dufter; it was given to me 4 or 5 days after. I kept it in the dufter (record) for 4 or 5 days more. Nanaji Vithal sent for me one day and took that yad from me. I have not seen that yad since then. I heard in the city of an attempt made to poison Colonel Phayre. Nanaji took the yad from me about Diwali time after I heard of that attempt.

CROSS-EXAMINATION BY SERJEANT BALLANTINE.—I am still in the jewel department. Ganpatram Mahajan is now the head of it. Small diamonds are called diamond chips. They are not the pieces cut off in cutting diamonds. I never saw pounded diamond. I was 12 years in the jewel department. The Maharaj used to buy diamonds, small and large, loose as well as made into ornaments. He has a large quantity. Nanaji Vithal approved of the diamonds shewn by Hemchand. Sometimes I was called in by Nanaji Vithal when he purchased and weighed diamonds. I was present on this occasion. Venayekrao made a yad with his own hand, which he kept by him. That is all I know. I never saw the diamonds again. These small diamonds are used for the purpose of setting. I did not know that Nanaji had returned those small diamonds to Hemchand. The diamonds were taken in the manner described, and Nanaji took the yad. The 2nd or 3rd day after that I asked the merchant Hemchand, "Did you take your diamonds away?" He said "yes." Nanaji said, "I am going to take the yad away; they are not to be purchased." He said, "I don't want to purchase the diamonds. I am going to return them. I don't want to buy them." Nanaji did not tell me not to buy the chips, as he had returned them to Hemchand. I was examined by Mr. Souter. (Mr. Serjeant Ballantine reads from English deposition.)

"Nanaji Vithal told me, when receiving the yad, that I was to make no entry of the diamond chips, as he had returned them to Hemchand."

What I have deposed is true; they were to be returned to him.

By THE PRESIDENT.—Nanaji Vithal knows—I don't—whether there were loose diamonds in the Javerkhana* when the merchants brought the diamonds. The ornamentation of a scabbard or sword hilt with diamonds—small ones—was going on, and also a jacket was being ornamented at that time. The diamonds used for those had been in store, from what time I don't know, but there is a balance of small diamonds going on from year to year always in store.

BARODA, }
March 11th, 1875. }

(Sd.) JOHN JARDINE,
Secretary to the Commissioners.

NO. XLV.—BALVANTRAO RAOJI STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. SCOBLE.—My name is Balvant Raoji. I was in the private (Khang) treasury department, employed under Damodhar Punt. These Exhibits U1, V1, W1, and X1 shewn to witness. four documents refer to payments which have been made to persons out of the private treasury. I notice in them some obliterations made by ink. I do not know how they came to be obliterated.

(No cross-examination is desired.)

BARODA, }
March 11th, 1875. }

(Sd.) JOHN JARDINE,
Secretary to the Commissioners.

No. XLVI.—RAMESHWAR STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. SCOBLE.—My name is Rameshwar Morarji. I am a disciple at the temple of Swami Narayen here. I may be called the head man. I did not receive money from the Gaekwar Sirkar for feeding Brahmans in Margashir last; if I had, I should have given a receipt. In that month I did not receive a sum of Rs. 3,632 from or on behalf of the Maharaj. I used to give my signature in writing on such occasions, and then the money was paid me.

Exhibit Y1 shewn. This writing is not mine. If it refers to Asādh Shudh, it is right. A feast was given to Brahmans that month, for which I gave a receipt. I know Bholanath Punjaram—my man. I know that man's writing; this is it.

CROSS-EXAMINATION BY SERJEANT BALLANTINE.—In Asādh I received Rs. 1,125. The paper shewn me is the receipt for that exact sum (Exhibit Y1).

RE-EXAMINATION BY MR. SCOBLE.—The Rs. 1,125 were for the purpose of giving a feast to Brahmans. I got no other sum except that in Asādh. The Khangi Karkoon used to come and pay charity (dākshina): Rs. 375 was the amount. It was paid the same day as that on which the feast took place.

By THE PRESIDENT.—The reason why no receipt for Rs. 375 was given was that the Karkoon brought the money in quarter rupee pieces and gave it to the Brahmans there.

BARODA; }
March 11th, 1875. }

(Sd.) JOHN JARDINE,
Secretary to the Commissioners.

No. XLVII.—DATATRAYA RAMCHANDRA STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. INVERARITY.—My name is Datatraya Ramchandra. I am employed in the Foudjari. I receive orders and accordingly issue instructions to the Karkoon. I mean about poisons. This document bears an endorsement by me. I remember it being brought. No arsenic was delivered out in respect to this note. When this note was received, a Karkoon endorsed it in my name. It remained in the Foudjari until the time Jagjivanbhai sent a Karkoon with directions that it should be given him. Jagjivandās is the head of the Foudjari. He sent for it about $\frac{3}{4}$ th of a month ago.

CROSS-EXAMINATION BY SERJEANT BALLANTINE.—The rule was: A report or adhikaree's* note is received. An adhikaree then makes a note in my name, and it is then the arsenic is delivered. In this instance there was no difficulty in giving the arsenic; but he did not come to get it, and it never was given. The Gaekwar's order appears in this note. There is an order that arsenic be given when the Gaekwar directs, not otherwise. This has been the rule for the last 18 months.

RE-EXAMINATION BY MR. SCOBLE.—This note has not got a Gaekwar's order on it. In the year 29 an order was issued. The endorsement states that the Sirkar Maharaj has given permission for 2 tolas to be given and price taken. It is stated that the 2 tolas be given to Damodhar Trimbak.

BARODA; }
March 11th, 1875. }

(Sd.) JOHN JARDINE,
Secretary to the Commissioners.